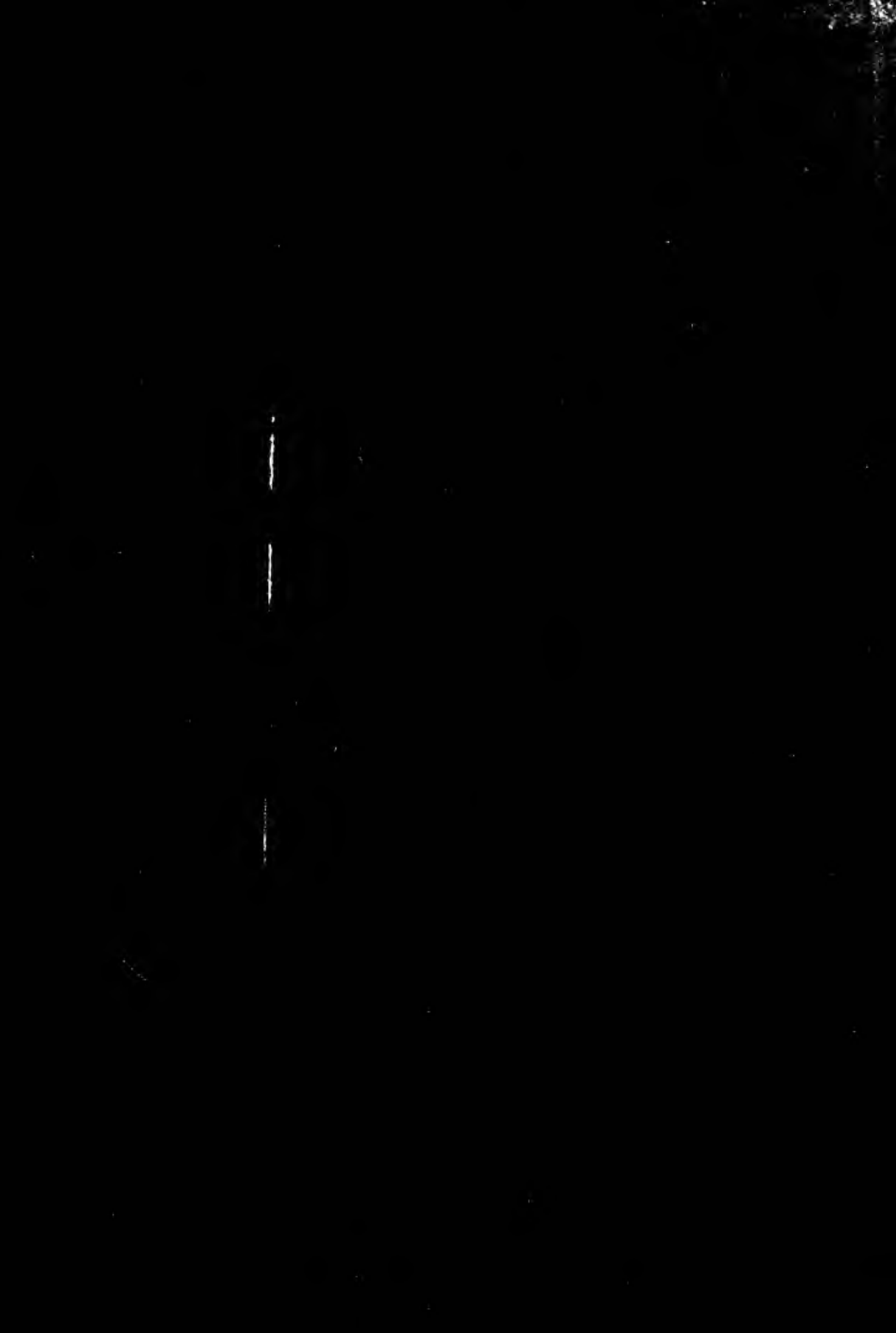




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**The Life and Times**  
of  
**Sir Richard Southey, K.C.M.G., etc.**







*R. Pouthey middle age.*



# The Life and Times

of

**K.C.M.G., etc.**

FORMERLY COLONIAL SECRETARY OF THE CAPE COLONY,  
AND LIEUT.-GOVERNOR OF GRIQUALAND WEST

BY

MEMBER OF THE LEGISLATIVE COUNCIL OF THE CAPE COLONY, ETC.

TWO PHOTOGRAVURES

AND

APPENDIX

LONDON

*St. Dunstan's House*

CAPE TOWN, PAARL, BULAWAYO AND PRETORIA

T. MASKEW MILLER

1904

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To  
SIR GILBERT PARKER, M.P.  
CHAIRMAN OF THE IMPERIAL SOUTH AFRICAN ASSOCIATION  
THIS BIOGRAPHY  
OF  
A TRUE AND LOYAL SUPPORTER  
OF  
THE EMPIRE IN SOUTHERN AFRICA  
IS RESPECTFULLY  
DEDICATED

A. WILMOT

LONDON, 1st October, 1904

1165555



## PREFACE.

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THE life of such a man as the subject of our biography comprises to a large extent the history of South Africa during the nineteenth century. Sir Richard Southey, who died in 1901, at the great age of ninety-one, was a typical Colonist of the best class—a class of which their Mother Country and the lands of their adoption may alike be proud; a class of men brave, patient, sagacious, and industrious, who have taken so great a part in the formation and consolidation of that Greater Britain which now forms an important part of the Empire, and, it may be added, a class difficult of creation except under conditions found only in new countries, where the elements of ever-present difficulty and danger make men quick in observation, cautious in decision, and determined in action.

Accompanying his parents to South Africa in 1820, when only twelve years old, Richard Southey was one of the youngest of the band of English settlers who had been induced by grants of land to occupy a tract of country between Grahamstown and the sea, to keep the Kafir tribes within their proper boundaries.

The settlement was neither well planned nor adequately supported, and these pioneers led hard laborious lives, rearing small herds and flocks on indifferent pasturage, and

wringing scanty crops from poor soil, while the neighbourhood of the Kafir hordes kept them in constant fear, and the depredations of wild animals demanded unceasing vigilance.

Under such conditions the young settlers grew to manhood hardy and self-reliant; but what made most of them qualified to be good soldiers or competent frontier farmers meant more in the case of Mr. Southey, who was gifted with mental powers of a high order, which soon attracted attention, and assured success in the many responsible positions he was chosen to fill. To a quick eye and ready hand he added the capacity for patient observation which made sure of facts; the power of weighing opposing evidence, and allowing for conflicting circumstances, while his opinions were firmly held without obstinacy, so that he was always open to conviction. He possessed also that pearl of great price—a temper that nothing could ruffle—which gave him no small advantage in discussion and debate over more excitable opponents. He used to say that the sight of an angry man moved him to laughter.

These qualifications of courage, tact, and temper made him not only a man who could be trusted in matters of importance and in times of difficulty, but a wise and prudent counsellor to be welcomed by any ruler. Added to this, he was in the best sense of the word absolutely loyal. He never abandoned a cause or deserted a friend. Not cast, perhaps, in a fully heroic mould, or at least not enjoying opportunities of rising to the highest distinction, he was a man of whom Englishmen, especially Colonists, and above all Cape Colonists, may well be proud. The story of his long laborious life is written with the aim

of setting before a younger generation an example that may well be followed. It is at the desire of Sir Richard Southey's family that this book is published.

Attention is called to the fact that reflections and remarks on public affairs by Sir Richard Southey appear in the Appendix, and that, in a spirit of fair play, the full case of the Diamond Field annexation by the Imperial Government is also published. Here, without any comment or attempt at curtailment, are the arguments of both sides. These comprise important historical documents not easily accessible, and now put on record as a help to the accurate study of South African History. The Digest of Despatches throws light on the narrative of events in Chapters X. and XI., while the letter from Messrs. Tucker and Ling exhibits the case of the Kimberley agitators.

So far as materials are concerned, there was an embarrassment of riches in the chests entrusted by the Executor to the writer of this work. Careful selection has been made, and interesting correspondence is published, throwing considerable light on contemporaneous history, from Secretaries of State, Governors, Members of Parliament, prominent men of various shades of opinion, and Colonial Officials. A large number of these appear in the text. In publishing so many it was remembered that even minor details connected with politics and official life are useful.

The work has necessarily been an extremely arduous one, and in concluding it the writer apologizes for his shortcomings, and asks the kind indulgence of the reader.

A. WILMOT.

LEGISLATIVE COUNCIL.

CAPE TOWN.

29th June, 1904.





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THE LIFE AND TIMES OF  
SIR RICHARD SOUTHEY, K.C.M.G.

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CHAPTER I.

The British settlers of 1820—The Southey party—War of 1828—An exposition of the politics of the day in Judge Cloete's speech—War again—Richard Southey at the head of volunteers—Farming—War of 1834—Colonel Smith and the corps of guides—Richard Southey captain—Colonel Smith and the war—Hintza: his escape and death—Case against the colonists—The Southneys move to Graaff Reinet.

ENGLAND arose exhausted from the great European combat which terminated at Waterloo. Thousands of impoverished people clamoured for employment, and among other means of relieving distress, a plan of colonization to the Cape was adopted. The selection of the fittest was exemplified by six thousand settlers being chosen out of ninety thousand applicants. In the ranks of the successful were George Southey, heading a party from Somersetshire, with his family, which comprised four sons, named William, Richard, George, and Henry, and two daughters, as well as two servants. This was the day of small sailing vessels, which took about three months to perform the voyage from Gravesend to Algoa Bay. In one of these, named the *Hennersley Castle*, the Southneys embarked, and safely arrived in the eastern province of the Cape Colony

in the year 1820. On this occasion Great Britain "threw her bread on the waters" in the form of hardy, indefatigable emigrants, whose exertions subsequently resulted in commerce which more than a hundredfold repaid the original expenditure.

Richard Southey, the subject of our biography, was a boy of twelve years of age when he first trod the shores of Algoa Bay, having been born at Culmstock, a small town in Devonshire, on the 25th April, 1808. It should be mentioned that the genealogical table of the Southey family dates from 1545, and commences with the name of Johannes Southey. Five generations thereafter we come to the names of John Southey, and of Robert Southey the poet, who were first cousins. It was John's eldest child and son who was the father of Richard Southey, and the head of the Southey party of 1820 settlers.\*

The destination in South Africa of the Southey party was close to Round Hill, between Bathurst and Grahams-town, and here young Richard joined in the pioneer farming efforts of his people, and acquired that love of sport which continued throughout his long career. However, in 1824, when he was only sixteen years of age, he was sent by his father to Grahamstown, where he served as a clerk in the mercantile establishment of Messrs. Heugh and Fleming. This life seems to have been distasteful, and he sighed for a wider field and scenes of adventure, as we find him, when he attained his twenty-first year, setting out on a trading and hunting expedition in Pondoland and Bovanaland. His brother Henry tells us that the expedition was not a success financially, for although Richard was well received by the natives, they were far too "slim" for him, as on many occasions when he counted his cattle, it was found that a

\* It seems that an American gentleman named Southworth recently went to England to trace his ancestry, and in so doing discovered that in the thirteenth century the forefathers of the Southneys bore the name of Southworth, and in this way were distantly related to him.



beast had unfortunately died, apparently from natural causes, but really put to death in order to form the material for a feast.

On his return from the trading expedition, Richard Southey determined to settle in life. In the first place, he went to the parental home at Southey's Hoek, Trompetter's Drift, and while there married Isabella, the youngest daughter of Mr. John Shaw, and shortly afterwards returned to Grahamstown, where he engaged in cattle dealing. Soon afterwards, in conjunction with his brothers, he purchased the farm Kap River, and there resided until the outbreak of the Kafir War in 1834-5. But in the mean time an important episode took place which requires special mention. In the year 1828 the Government of the Cape Colony called for volunteers to take charge of military outposts on the frontier—while his Majesty's troops went on special service into Kafirland. Richard Southey was one of those who responded to this demand, and at the age of twenty we find him armed, mounted, and equipped, at his own expense, to respond to the call of duty. In a memorandum found amongst his papers he writes—

“In the year 1828, the Government received information that a tribe of natives, designated the Amafetcani, was moving down from the north-east towards Kafirland, destroying all before them, and that the Pondos, Tambookies, and other natives occupying the country beyond our frontier were so much alarmed that there was danger of their rushing in amongst us for safety. Under these circumstances, the Government determined on sending a strong military force into the country to check the advance of the marauders. To do this it was necessary to obtain the services of burghers of some kind to take charge of the frontier outposts during the absence of the soldiers, and volunteers were called for to perform those duties. I was one of those who responded to the call, and performed military duties at Fort Beaufort, until the return of the troops. These troops met the enemy somewhere about the sources of the Bashee, or Umtata River (I think). A fight ensued, in which the Fetcani lost some

of their number, which caused them to abandon their intention of advancing further in this direction, and instead to return to their own country. They were not previously acquainted with the effect of our weapons (guns), and didn't like to risk a second encounter."

At this stage it seems desirable to furnish a brief *résumé* of a speech delivered in the Legislative Council in August, 1836, by an educated and impartial colonist, Mr. Cloete (afterwards Judge Cloete).\* It is a clear and just epitome of frontier history. The subject was the motion of the Attorney-General to refer to a sub-committee the Martial Law Indemnification Bill. Mr. Cloete said "that this was the first time that anything connected with the policy hitherto pursued by the Government towards the Kafir tribes had to his knowledge come before them, and he considered that he should fail in his duty to the country, to the place he held, and to his fellow-colonists, were he to allow that opportunity to pass without expressing his sentiments with regard not only to the line of policy formerly pursued, but to that which had recently been substituted for it. This duty he felt to be more imperative when he considered the manner in which a Committee of the House of Commons had proceeded in its inquiries into this subject. It was but too evident that not only the conduct of the colonists, but of the Colonial Government, had been shamefully misrepresented; the former as characterized by the most heartless and unfeeling barbarity, and the latter as only actuated by a grasping ambition, which sought by oppressing the native tribes and seizing their possessions and territory to aggrandize the colony. Neither of these positions, however, had been, nor could be, substantiated, and the truth had only to be brought forward to set at rest such unfounded calumnies.

\* See the Report of the speech in the *Commercial Advertiser*, Cape Town, of the 28th August, 1836.

“With regard to the colonists, it would be sufficient to show that they were possessed of the feelings of human beings to repel the accusations brought against them. We know that self-interest and self-preservation are the very first springs of human action, and it is literally a matter of absurdity to suppose that the isolated farmer, residing with his wife and family some ten or fifteen miles from the nearest neighbour on whom he could call for assistance, should be actuated by feelings of aggression against a bold and warlike people, a single whistle of whose chief would surround his house with hundreds of savage warriors. That no single act of aggression ever at any period took place, it would be the height of absurdity to deny. This would be saying that the colonists were not men but angels. When, therefore, it was found that, instead of bringing forward tangible charges against individuals, the enemies of the colonists confined themselves to vague and general accusations, and when it was also seen that where they had attempted to substantiate these accusations their facts had failed, he hoped the Council would see sufficient grounds for acquitting the colonists.

“With regard to the Colonial Government as an individual conversant with its acts, he took upon himself to say that nothing could be more unfounded than the charges insinuated against it. Early in the century the British Government took over the colony, with an acknowledged and guaranteed boundary. Then it was found that some of the principal chiefs had crossed this line and settled themselves between the Bushmans and Sundays Rivers, frequently carrying their inroads to a distance of three hundred miles westward of the Fish River. During the Governments of Baird, Bourke, and Lord Caledon, no steps were taken to expel these invaders.

“Sir John Cradock at last found it imperatively necessary to cause the natives to respect the legitimate boundary, and as a means to this end a military force, supported by a large burgher commando, was sent out. Gentle methods were

tried in the first place. Indeed, when an officer of artillery suggested to Colonel Graham that as the Kafirs were completely exposed he should fire upon them, that gallant officer replied, 'Fire not a single shot until every amicable means be tried.' At this very time, however, the Kafirs were engaged at the other wing in butchering Andreas Stockenström, with fourteen of the worthiest burghers of the commando, who ventured among them unarmed, and on an errand of peace. Hostilities then, of course, took place, which resulted in the natives being driven out of the colony."

Mr. Cloete goes on to say that "he happened to visit the frontier line in the years 1813 and 1815, when it was strongly defended by forts ten or twelve miles apart. He had then witnessed the condition of the burghers, many of whom had been eighteen or twenty months from their families. After the general peace, however, this force could not be kept up, and the inroads of Kafirs again commenced, not only desolating but depopulating the country, notwithstanding all the efforts Government made to induce the colonists to occupy the land. It was in vain that Colonel Cuyler held out the most flattering promises; such was the insecurity of life and property, that only a few individuals could be found hardy enough to place themselves in circumstances of such peril, and of these several were barbarously massacred.

"In these circumstances Lord Charles Somerset personally interviewed the Kafir chiefs in the year 1817, and so acknowledged Gaika as paramount chief that the British forces rendered him assistance when in 1819 a portion of his people rebelled. It was in this war that 6000 Kafirs suddenly emerged from the Fish River bush and rushed down upon Grahamstown, which would probably have been taken had not Colonel Willshire happened to have been out that morning exercising the troops, and the Kafirs, suddenly seeing these men, imagined that a strong relief force was advancing.

"Again Lord Charles Somerset interviewed Gaika, and

he found that his men had been perfidiously acting against us. Indeed, one of his chief councillors was stabbed in the act of seizing the reins of Colonel Willshire's horse, and another was found to have advanced up to the muzzles of the guns in the attack on Grahamstown. The country between the Fish River and the Keiskamma was now declared neutral territory.

"It is specially noticeable that on the advent of the settlers of 1820, the then acting-governor, Sir Rufane Shawe Donkin, repaired to the frontier, and with the entire concurrence of Gaika and the other chieftains entered into an agreement providing that, though the tract of country referred to should still remain neutral, it might be occupied by certain masses of persons settling in little towns or villages, Gaika only bargaining for the valley of the Chumie, which until the late war was always considered to belong to his tribe. Official acts clearly prove that for at least thirty years previous to the war of 1834 nothing was more distant from the views of Government than the invasion or seizure of Kafir territory.

"Sir Lowry Cole next came upon the scene, and under his direction the location of a body of Hottentots on the Kat River took place. In consequence of this settlement, and the granting of some farms in the Fish River bush, it is manifest that acts of aggression or spoliation did sometimes occur, and the chiefs themselves acknowledged that the Kafirs were in unlawful possession of the country. In fact, the chiefs Macomo and T'Slambie took advantage of indulgences granted to them in time of drought by committing several murders, and stealing so many cattle, as to throw the frontier into such a state of insecurity, that when he (Mr. Cloete) visited it in 1830 he found the inhabitants in the greatest excitement and alarm."

Mr. Cloete cited several cases which came under his own personal notice to show that the colonists did not act in a spirit of aggression, and that law was vindicated when natives were injured. The Chief Justice, on more than one

occasion, assured the Kafirs that the courts of the colony were always open to them even for the redress of injuries done in their own country. The Kafirs were placed, as far as circumstances would permit, on the same level as more civilized persons.

“In the year 1830, the chiefs, building on the hopes of disaffection among the people at Kap River, and promised the support of Hintza, were secretly preparing for one of the most dreadful, savage, and unwarranted inroads ever recorded in the annals of any colony.” After referring to the wise acts of Government, Mr. Cloete concluded by stating that the name of Sir Benjamin D’Urban would be handed down to future generations, not only as the friend of the colony, but the true friend of the Kafirs themselves.

In the early thirties we see Richard Southey, a young married man, settled quietly with his brothers on their farm at Kap River. There must have been general apprehensions of a native outbreak, but so little special knowledge existed that we find the Southneys eating their Christmas dinner in peace on the very day on which the great Kafir War of 1834 broke out. On the next morning two breathless men galloped up in hot haste. These were George Southey and Richard’s brother-in-law, William Shaw, who had ridden over from Grahamstown during the night. Everything had to be abandoned, and the young wife and child (Charles) borne swiftly to the city of the settlers. Almost immediately after, their farm-house was completely burned with their furniture, including a good piano, which was then a rarity in the eastern province, and within twenty-four hours a man who had been enjoying an independent, comfortable life was reduced to poverty. The brothers met together in Grahamstown, and Henry had, unfortunately, to report that John Shaw (Richard’s brother-in-law) had been killed by the assegai of the chief Umkai.

Richard Southey exhibited both courage and sound judgment in organizing a force of thirty volunteers, of whom he

was the captain, and proceeding to the Claypits, about twenty-five miles distant, for the purpose of rescuing some fellow-settlers who resided there. A dreadful scene presented itself on their arrival. The houses were burned down or plundered, and the mangled remains of two white men discovered. From this place they lost no time in proceeding to the military posts near the mouth of the Fish River, and then assisted the garrisons to retire on headquarters at Grahamstown. Let us give a narrative of the events of this time in the words of Richard Southey himself, who says—

“In December, 1834, I was farming on a farm purchased by myself and brothers at the head of the Kap River, in the Bathurst district, and was aroused one night about midnight by the arrival of my brother George and brother-in-law, William Shaw, who informed me that there had been a skirmish between a small party of the Cape Mounted Rifles and a number of Kafirs near Fort Willshire, arising out of an attempt made by the former to secure a quantity of Kafir cattle as compensation for thefts committed in the colony by Kafirs, and that the Kafirs were invading the colony in consequence. My brothers, after warning me of the danger, proceeded on to Trompeter's Drift on the Fish River, where other members of the family resided, to warn them, and help them to get away with our stock, etc., if possible. On the third morning after this, at daylight, the two arrived back, to report that the day previous, having left the homestead with two waggons loaded with such articles as they could bring away, the ladies of the family residing there, and all the live-stock, some 900 head of horned cattle, 2000 sheep and goats, and between 30 and 40 horses, they were overtaken by a large body of Kafirs while ascending the Fish River hill, and compelled to abandon the cattle, etc., but succeeded in getting away with the waggons, which was fortunate considering that there were but three armed white men and the two native waggon drivers, five in all, against at least a hundred Kafirs. On reaching the top of Driver's Hill, about ten miles from Grahamstown, they deemed it safe to let one go on with the waggons, and the other two turned off across country to me, arriving at my place a little after daybreak, having travelled all night. Now it was

my turn to get away to Grahamstown with all possible speed. My cattle, sheep, and horses were first sent off by their herds, all Kafirs; next followed my wife and two children, the eldest only a little over two years, in a cart drawn by oxen; after that a waggon loaded with such household goods as could be got into it; after that, myself, brother, and brother-in-law packed away a good portion of what was left in cellars, thinking the Kafirs would not be aware of their existence, then locked up the house and left on horseback for town, and on our way found that most of the people living near the line of road had either left or were leaving, having been warned of danger by my wife on her way to town. Unfortunately, this could not be done to people living in the opposite direction, and my nearest neighbour was murdered within a few hours after I left my home."

There have been two famous historic rides in South Africa. One of these was that of Richard King, from Natal to Grahamstown, to obtain relief for the British garrison invested at Natal; the other was that of Colonel Harry Smith, from Cape Town to Grahamstown in six days, on the occasion of the breaking out of the desolating Kafir War in 1834. This officer, invested with full power by the Governor (Sir Benjamin D'Urban), was told that a sloop of war was ready to take him to Algoa Bay. He, however, preferred to ride post, and horses were "laid" for him along a route of six hundred miles in length. He started on the 1st of January, "the heat raging as a furnace," and with a Hottentot as companion rode ninety miles on the first day. The next day he started before daylight, and got to Swellendam for breakfast. After riding another hundred miles he reached George, three hundred miles from Cape Town, and thence over mountains and bad roads to the Uitenhage division, where he had to cross one river seven times, and was "as wet for hours as if he had been swimming, while the sun was on him like a furnace." Here a characteristic event took place. His own horse having knocked up, he asked a Boer who was holding a nice-looking steed ready saddled to allow him to mount, explaining at the same time



who he was and where he was going. The Dutchman refused; so, says Colonel Smith, "I knocked him down, though half again as big as myself, jumped on his horse, and rode off." This was close to Gamtoos River, whence, proceeding through Uitenhage, he reached Grahamstown after a ride of six hundred miles in six days. As Colonel Smith and his wife became intimate friends of Mr. Southey, it seems desirable to refer to the biography of this eminent soldier who supplied that opportunity which, "taken at the tide," led Richard Southey on to fortune.

It was at the storming of Badajos that two ladies fled from that city and begged for British protection. The younger addressed the officers in that confident heroic manner so characteristic of the high-bred Spanish maiden. Her father was an officer in a distant part of the kingdom, and she, with her mother, were without friends, and flying for safety. A romantic attachment sprang up between this young lady and Harry Smith, who describes her as possessing an "understanding superior to her years, a masculine mind, with a force of character no consideration could turn from her own just sense of rectitude, and all encased in a frame of nature's fairest and most delicate moulding, with an eye of light, and an expression which inspired her husband with a maddening love which from that period to this (now thirty-three years) has never abated under the most trying circumstances." At the time of his marriage he was twenty-four, and his wife only fourteen years of age.

Colonel Smith came to the Cape in 1829, during Sir Lowry Cole's term of office. He was senior member of Council and in command of the troops. Sir Benjamin D'Urban came out in 1834, and the Kafir War shortly afterwards commenced. Upon arriving in Grahamstown, after his celebrated ride from Cape Town, Colonel Smith found himself in barricaded streets. He observed that this defensive system would never restore confidence, and resolved to proclaim martial law at once, and take active

measures. The number of regular troops was little more than 700, and the civil force under arms then occupying Grahamstown, Fort Beaufort, and the Kat River settlement comprised 850 men. Fort Willshire had been abandoned, and 200 burghers of the Graaff Reinet district, under Civil Commissioner Ryneveld, were advancing. The population of Grahamstown was formed into a corps of volunteers, and the church in the market square became both a military post and a council chamber. The "Committee of Safety" was holding its meetings, but Colonel Smith made short work of this association. He tells us that one gentleman, a leader, began to enter into argument, upon which he exclaimed in a voice of thunder, "I am not sent here to argue, but to command. You are now under martial law, and the first gentleman, I care not who he may be, who does not promptly and implicitly obey my command shall not even dare to give an opinion. I will try him by court martial, and punish him in five minutes." This sally completely established his authority.

Vigorous and successful military exertions were made under the chief command of Sir Benjamin D'Urban, who now arrived on the frontier, and it was during the progress of these that Hintza was shot. Colonel Smith was a daring, brilliant soldier, and a most reliable and generous friend. His histrionic performances, such as those of placing his foot on Macomo's neck, as well as blowing up a waggon to show the enemy by allegory how they could be destroyed if they resisted, are indicative of eccentricities which rather lightened up than disfigured his character. From first to last he looked upon Mr. Southey as a wise and able public officer, and extended to him a friendship which was as valuable as it was sincere.\*

At the end of December, 1834, Mr. Southey became

\* For particulars of Sir Harry Smith's career, see *The Autobiography of General Sir Harry Smith*. Edited by C. Moore Smith. London: John Murray. 1901.

lieutenant in a corps designated "The Albany Mounted Sharpshooters." He accompanied the first expedition sent into the enemy's country under the command of Major Cox of the Cape Mounted Rifles, and was present at the attack on Eno's kraal, where more than thirty of the enemy were killed, as well as at the burning of Tyali's village. Immediately afterwards he accompanied a reconnoitring expedition under the command of Colonel Smith. He was one of thirteen who undertook to convey despatches to the Gwalana outpost, which was alleged to be surrounded by the enemy. Now came his opportunity. A man named Bailey, the son of an old settler, went to young Southey and told him that he was wanted by the colonel to advise him as to "the lay" of the surrounding country. No man was more competent to do so, as he was thoroughly acquainted with the foot and cattle paths used by the enemy—besides, he was a brave, prudent, and cautious man.

Mr. Southey was requested by Colonel Smith to act as guide to the headquarter column, and to select guides for the other columns, respectively commanded by Colonel Somerset of the Cape Mounted Rifles, Colonel England of the 75th, and Colonel Maclean of the 72nd Regiment. The object was to attack the Kafirs in their bushy fastnesses. The young guide rode in front of the column, and directed it past many native ambushes so successfully that no loss of any kind was suffered, and the attack on the enemy resulted in complete success. Southey, beginning to climb the ladder, was for meritorious services ordered to form a corps of guides, of which he was appointed captain. This was composed of forty men, who became a distinguished band. To quote from one of Mr. Southey's memos—

"The Corps served to the satisfaction of the then Governor and Commander-in-Chief, Sir Benjamin D'Urban, and was on several occasions commended in general orders, and the officers specially thanked. Towards the end of the war the great chief Hintza came into camp with his son Kreli and several councillors

and gave themselves up as hostages, pending the fulfilment of an engagement to pay a fine of certain cattle. These people were placed under my charge."

Some interesting documents are connected with this period. We find, for instance, a memorial to the Governor from men who had been on duty in the Albany Sharpshooters praying for a grant of rations, as "you have been pleased to order our captain, Rd. Southey, to give us a discharge." This is signed by John Nicoll, Henry Austin, John Phillips, Rogers, D. Evans, A. Lourie, Norman Page, H. Thomas, J. Thomas, Stephen Rowles, and Benjamin Nowth. The endorsement on this is, "Captain Southey will be so good as to speak to me hereon.—B. D'Urban." There is another memorial, of rather an amusing character, addressed to the Governor, dated Grahamstown, June, 1835, and signed by David Alexander Fitchat, who humbly prays that his Excellency would be graciously pleased to order him some clothing to replace what he has worn out on the command, as he has not the means of furnishing himself at present; "should he be ordered out again, he has not clothing to go with." The list of memorialist's "cloths" is appended, consisting of 1 forage cap, 1 old jacket, 1 pair of trousers, 1 shirt. "The cloths that memorialist is at present wearing are borrowed." Certain articles are asked for, and the Governor, in his endorsement, requests Captain Southey to be good enough to purchase them and send the account to him. Then follows a receipt for 1 jacket, 1 shirt,  $2\frac{3}{4}$  yards moleskin for trousers, 1 hat, and 1 pair of shoes—the total cost of which amounted to £1 10s. 10*d.*

In rather faded ink we have the "Instructions for Captain Southey of the Guides" in the handwriting of Sir Benjamin D'Urban, and signed by him. The date is "Headquarters, Grahamstown, 30th July, 1835." The first section states that—

"It is proposed to comply with the desire of the chief Crieli (Kreli) communicated by Captain Warden to send back to him

the Chief Bookoo, or Buku, his uncle, now a hostage at my headquarters, and that the other hostage, his Hemrade Kinki, shall accompany him."

Captain Southey is directed to supply horses, and to proceed with them to Colonel Smith's camp at King William's Town, and thence to their destination at Smith's Tower, or any other more convenient spot on the banks of the Kei.

"The great care which Captain Southey has all along taken for the health, comfort, and due attendance of the hostages, and which has been so creditable to him, it must be superfluous to add he will continue to them with every personal protection to the conclusion of his charge."

There is a slip of paper inside the instructions, on which Sir B. D'Urban has written—

"Here is the Kaffir copy of the Treaties which Bookoo should take to deliver to his nephew, and I think is adverted to in the communication sent by him here. Good to give him at parting.—  
Initialed B.D. 31st July, 1835."

In a note from Captain Southey addressed to the Hon. Colonel Smith, Chief of the Staff, dated the 18th June, 1835, he sends a list of persons belonging to the corps of guides that were in Grahamstown "when my brother left your camp." These were Chas. Scanlen, John Nicol, Abel Hoole, Hy. Austin, S. Roberts, and B. Leach, who came with the Kafir hostages; W. Cawood and W. Toole on leave. Men who were part of the waggon escort and remained in Grahamstown on account of illness were W. Cornely, B. Newth, and J. Evans. T. Page came in charge of a sick commissariat waggon driver. W. Shaw was on leave, and Chas. Fisher, with Daniel Lanihan, were part of escort to waggons, and deserted when they were ordered to return. In a memorandum, dated the 28th September, 1835, signed "R. Southey, Captain of Guides," it is stated that Mr. Hoole was one of the detachment

who did duty as interpreter, and received thirty pounds secret service money for his services.

The Kafir War continued to rage throughout the year 1835, and as illustrative of the manner in which it was carried on, let us take Mr. Collett's description of a desperate attack made on his farm at the Koonap. He tells us that at about half-past six on the evening of the 13th May, and just before the moon rose, one of his people ran to inform him that a body of Kafirs were coming on. Collett took up his gun and ran towards the kraal, but not finding the enemy there, collected his people and flew back to his own dwelling, into which the Kafirs had by this time entered. They rushed out when they saw the English, and, although four shots were fired in among them, not one was killed. They were then pursued into a small enclosure, and when challenged to come out and fight declined to do so, and ran off. On returning to his house, Collett found that Mrs. Jacob Trollip had been stabbed by an assegai in the right side, and her infant, which she held in her hands, was slightly scratched. So serious was Mrs. Trollip's wound that a surgeon was sent for to Fort Beaufort, but as the assegai had nearly pierced through her body, it was soon evident that recovery was hopeless, and she died on the following day. On the succeeding night the Kafirs again attacked Collett's kraal, and succeeded in getting off with sixteen cattle, including the one cow which he had in milk. All the British settlers suffered in a similar way. They were attacked in an unprovoked manner by a nation of thieves. Many sacrificed their lives; all may be said to have lost the accumulation of the industry of years.

The headquarters camp was attacked near the Kei River early in May, 1835. It is noticeable that a spy came into camp with pistols and well mounted, offering his services to Colonel Smith, and saying that he was determined to leave Hintza. This man was suspected of being a spy, and was known to be Hintza's chief horse-stealer, so Colonel Smith

ordered him to be flogged and kicked out of camp. This work was performed efficaciously by six strong men of the 72nd Highlanders.

A dramatic sight was visible on the 10th May, when the troops were all drawn up in two columns, with the artillery on the right; Hintza, with his son Kreli, as well as Bookoo and all his councillors, being marched up between the lines, attended by a strong guard. The General, with Colonel Smith and the Staff, then took their place in the centre of the troops on the right of Hintza. Colonel Smith first read the Proclamation of His Excellency, after which the Governor read his declaration, taking over the land extending east from the source of the Kei in the Stormberg to the sea. A royal salute of twenty-one guns was then fired, which remarkably affected the natives. Hintza was bathed in a perspiration of terror, and most of his followers were completely overawed. To their eyes the scene was most unexampled. The roar of the cannon was trebly increased by echoes from the precipitous cliffs above. Each shot sounded like thunder, while the echoes reverberated from crag to crag until they were lost in the distant windings of the river. Loud hurrahs and cheers for the King closed the proceedings, which were thoroughly calculated to produce a profound impression upon Hintza and his followers. An eye-witness, quoted in the *Grahamstown Journal*, tells us that he had never witnessed a more imposing ceremony; the wildness of the scenery gave additional effect to the spectacle, enormous masses of rock, piled fragment upon fragment for many hundred feet, with the tall and stately euphorbia on the verge, dwindled away in the dizziness of distance, while the long red aloes peeped here and there between the projecting rocks, and huge baboons might be seen clambering over them.

The death of the Paramount Chief, Hintza, was an incident with which Captain Southey and the Corps of Guides were

intimately connected. A Proclamation by Sir Benjamin D'Urban enables us to thoroughly understand the position of affairs. The Governor declares in this document, which is dated the 10th May, 1835, that twelve days ago Hintza, finding the heart of his country occupied, came into the British camp and sued for peace. The terms on which alone peace could be granted were detailed and duly accepted, Hintza's son, Krel, and his relation, Bookoo, being handed over as hostages. At once hostilities were discontinued, and numerous advantages sacrificed which would have accrued from the continuance of the war. So far from Hintza sending in the cattle agreed upon, he procrastinated and made excuses.

The Governor wrote—

“As I am still disposed, however, to believe his asseveration that his presence in the midst of his people may give him the power of fulfilling his solemn agreement, I will not for the present send him out of his own country, but it is upon the condition proposed by himself that he accompanies a division of my troops through such parts of the country as its commanding officer, Colonel Smith, may select, and exert his full power as chief of it to collect the cattle and horses due.”

On the left bank of the Kei the treaty was read to Hintza, sentence by sentence *seriatim*. It was signed in the presence of Harry Smith, Colonel and Chief of the Staff, John Peddie, Lieut.-Colonel Commanding the First Division, J. Murray, M.D., Principal Medical Officer, and C. C. Michell, Surveyor-General. All is certified by Theophilus Shepstone, Kafir Interpreter.

Certainly the most dramatic incident in the Kafir War of 1835 was the death of Hintza. The Corps of Guides, under Captain Richard Southey, had charge of the Paramount Chief, and Lieutenant George Southey was told off as responsible personally for his safe custody. He was accompanied by fifteen men, and ordered by Colonel Smith to treat the prisoner hostage with every indulgence and kindness during



the day, and give him over to the guard of the 72<sup>nd</sup> Regiment every evening. Hintza was allowed to carry his assegais, and to ride in what part of the column he thought proper, the Guides keeping near him at all times. Thus they proceeded for two days without any occurrence of importance, until the 12<sup>th</sup> May, 1835, when the river Xabecce was crossed. The opposite bank was steep, and led upwards to a mountain covered by a dense thicket. Every one dismounted. Hintza and his two men walked part of the way up the hill, under guard of the Guides, and then he and his men remounted their horses, and, pushing quickly past, moved to the front of the line of march. The path being rugged and steep, it was with difficulty that Lieutenant George Southey, together with his brother William and Mr. Shaw, got in front of Hintza, who had been stopped by Colonel Smith. The Colonel reprimanded George Southey for allowing Hintza to break from his guard. It was then believed that he was held securely, and the Colonel turned round to view the troops ascending by the difficult path they had just surmounted. This was an opportunity. They had then barely gained the top of the ascent, when in a moment Hintza burst from the guard and galloped off at full speed. The cry of "Look out, Colonel," arrested Colonel Smith's attention, and he instantaneously started off at as fast a pace as possible. Spurring his horse violently, he succeeded in getting up with Hintza, and attempted to catch hold of his bridle, but the Chief, stabbing with his assegai, baffled the attempt, and the scuffle gave Hintza time to outstrip his pursuer by a few yards. Colonel Smith, with all the energy of his nature, again so violently urged on his horse as to come up to Hintza, when, presenting his pistol, which missed fire, he threw it at his opponent's head, a second pistol following the first. All this time Lieutenant George Southey had been riding as hard as he could, and never lost sight of the Chief. William Southey, Mr. Shaw, and others followed. Colonel Smith, who says in his autobiography that he heard

a voice distinctly telling him to pull Hintza off his horse, was now seen to clutch the Chief desperately by the kaross at the back of his neck and drag him to the ground. The moment Hintza recovered himself he drew an assegai and threw it at the Colonel, only missing by a few inches. George Southey then sprang from his horse, and ran as fast as he could after Hintza, who had retreated to the bush. He called out to him several times in the Kafir language that if he did not stop he would be shot. As no attention was paid to this warning, Southey fired, and struck Hintza in the leg. In answer to cruel calumnies, George Southey says, before the Court of Investigation—

“And, gentlemen, placed in this situation, seeing him determined on his escape, having seen him throw an assegai at Colonel Smith, who had treated him so kindly, and seeing the Kafirs numerous in every direction, I ask what was my duty when I saw him attempt to kill the commander, and after calling to him in his own language to stand? I put it to any gentleman here present whether or not, if he had been placed in my situation, he would not have acted as I did, and whether it was not my duty to fire upon him? Knowing the responsibility that rested on Colonel Smith, and the situation in which he (Hintza) stood (he being in my charge), dared I allow him to make his escape, and I still remain a living man while I had means at my disposal to stop him, or attempt to stop him? And as he disregarded my call, I consider I was fully justified in acting as I did.”

George Southey continued his pursuit. Colonel Smith, having managed to stop his horse, was close at hand, and Mr. Shaw now came up within sight and hearing. Again was Hintza called upon to stand, but as he would take no notice, Colonel Smith shouted out, “Fire again, Southey.” George Southey did so, and Hintza fell, but only to get up, run down the hill at great speed, and find his way into the bush. George continued the pursuit, and after having run fully the distance of a mile, came to the edge of the

bush, where he met Lieutenant Balfour. Both leaped down the bank together, and one went up and the other down the stream. Southey had proceeded only a short distance through the dense thicket when, near the edge of the water, he heard an assegai strike the stone on which he stood. Looking quickly round, he saw a Kafir's head, and an assegai uplifted so near him that he had to spring back to make room for his gun. He fired instantly, and a moment afterwards the Paramount Chief of the Kafir nation fell dead.

The death of Hintza was the signal for an outcry against colonists. The Paramount Chief had been murdered in a dastardly manner, and the additional calumny was added that his body was mutilated after death. It is lamentable to notice how many missionaries lent themselves to the circulation of these falsehoods. The Rev. Mr. Laing, in his examination, could only refer to hearsay evidence. George Southey denied the allegations on oath, and Lieutenant Balfour, of the 72nd Regiment, who was present at the death, distinctly states in his evidence that he did not see Mr. Southey cut off Hintza's ears, and he could take it upon himself to assert most positively that no such thing was done, for they both left the bush together, and at that time Hintza's body was not in any way mutilated except by the shots fired.\*

To understand these times, in which Richard Southey took a prominent part, it is necessary to advert to the attitude taken up by Dr. Philip and other missionaries against the British settlers. Entirely carried away by sympathy with the natives, whom they looked upon as a people who were oppressed and robbed by the colonists, they were mainly instrumental in stirring up an agitation which found a powerful echo in England, and resulted in a Parliamentary inquiry, as well as in the disastrous reversal of Sir Benjamin D'Urban's policy, and the appointment of Lieut.-Governor Stockenström to the Eastern Districts.

\* See his evidence published in the *Grahamstown Journal* of 8th September, 1836.

It is very interesting to look at the evidence of Colonel Cox, an officer of high integrity and ability, taken before the House of Commons Committee. In reply to questions, he says that, from a conversation he had with Macomo and several of the Kafir chiefs, they seemed to imply that they were encouraged to come into the colony; \* indeed, that they were led to go to war by correspondence or intercourse with people within the colony. From writings and discussions, as well as from other sources, he was led to think that the natives were encouraged by persons within the colony to assert their own independence, or avenge supposed injuries. Until the war broke out the Kafirs were on friendly terms with the frontier people, but their minds were poisoned by the sympathy and commiseration they received, as well as by their supposition that the Hottentots would join them. The tendency of the writings of Dr. Philip, Mr. Read, and Mr. Bruce was to disturb the peace of the frontier.

We cannot be surprised that there should be sympathy for the Kafirs in England, if the case against the colonists were believed. This included charges of wanton, cruel, and unprovoked attacks on Kafir kraals, accompanied by the murder of inoffensive native women. The chiefs, they said, were plundered, and when they represented this to the aggressors their cattle were partly restored, and they were then told that the attack was made by mistake. The British people were supplied with such statements as the following:—

“False alarms, in which the Cape Frontier is so prolific, are advantageous to none but those who covet the possession of stolen cattle, or expect more benefit from military coercion and the increase of the forces than from conciliation and justice.” †

The grossest calumnies against the British settlers were evidently believed by many missionaries and politicians.

\* House of Commons inquiry, 18th April, 1836, taken over by *De Zuid Afrikaan*, also by the *Journal*.

† See the evidence of Mr. Stockenström before the Committee of the House of Commons, 22nd May, 1835.

The *Commercial Advertiser* in Cape Town was ranked among the settlers' enemies, and the poor people who had lost everything they possessed, in the Kafir War of 1835, felt extremely the cruel injustice with which they were treated. Sir Benjamin D'Urban, whose personal experience enabled him thoroughly to understand the subject, is thus referred to by the contemporary *Grahamstown Journal*—

“He came to the colony evidently believing that the natives were an ill-used people, and refused to permit the Commandant of the Frontier to pursue extreme measures towards even those robbers who were actually plundering the inhabitants within colonial limits; yet the very same individual is compelled, as an act of justice and in the discharge of his high office, to take upon himself the responsibility of annexing a larger tract of the Kafir territory than all his predecessors had ever thought of, whilst at the same time he gives all the false notions previously entertained by him of the Kafir people to the winds. Moreover, in the style of every other Governor of the Colony, after they had acquired a practical acquaintance with the subject, he declares by a public edict that those people whom he had been led to believe were an amiable and oppressed race are ‘treacherous and irreclaimable savages.’”

The Southey's had lost their all—stock, house, and furniture. They were left destitute in consequence of a totally unprovoked irruption of savages, and were aware of cold-blooded and brutal murders of white men and women. No wonder that they and the other settlers felt their blood boil in their veins when charges such as those already referred to were hurled against them. An expression of opinion took place when his Honour Andries Stockenström, the new Lieut.-Governor, arrived in Grahamstown. An address signed by about four hundred British settlers was rejected by him; but a public meeting was permitted, at which strong resolutions were unanimously adopted unequivocally denying the statements made against the settlers before the Committee of the House of Commons. At the same time

an anxious desire was expressed for a full and impartial inquiry into every allegation.

The first resolution at the public meeting was moved by Mr. Edward Norton, who said "that there might have been individual cases of bad treatment or plunder on the part of the settlers, although he had not known of any specific case being brought forward. But even supposing some cases had occurred, were the settlers to be branded with infamy in consequence." Mr. Godlonton, in moving the second resolution "felt no little pride in finding his brother settlers at their posts, and that when their rights were assailed they were ready to defend them. They stood before the public as an injured and aspersed people."

Mr. W. R. Thompson, in proposing the third resolution, declared "that they had been robbed and insulted. Loss of property might be borne with—by industry and perseverance that might again be recovered—but the charges against their character were of far more serious consequence. They owed it to themselves that the false and malignant assertions of their enemies should be refuted."

Mr. George Jarvis, during his speech, stated that "it had been asserted that the British settlers had nothing to complain of. The situation of the major part of the inhabitants of this frontier was a sufficient refutation of this absurdity, and, after the sufferings and outrages to which the settlers had been subjected, the editor of the *Edinburgh Review* gravely assumes that in South Africa war is made for the benefit of the Dutch Boers and their yokemates, the British settlers. The *Quarterly Review* follows on the same side, and the talented editor of a leading publication seriously advises his friends in this country not to publish anything in favour of the colony, because 'it would not pay.' Popular feeling in England was against the settlers, and the very pedagogues of Holland were assisting by their school-books to hand them down to posterity as disgraceful to humanity, or, to use the words of a member of the House of Commons,

‘committing deeds enough to make an Englishman blush.’ To give an instance of how proceedings were carried on—a nameless individual had written to the Colonial Minister an account of the death of Hintza, and that account, filled with falsehood and exaggerated statements, unsupported by authority, had been received as forming a grand charge. What had been the result? Upon the mere assertion of this nameless person, a Court of Inquiry was immediately ordered. Could they not, then, hope that when seven hundred inhabitants asked for an inquiry one would be granted? All they begged was a full, calm, and dispassionate inquiry, the result of which no honest man in Albany feared, as it could only lead to a right understanding of our case and full redress of our grievances.”

Mr. R. Pitt, senior, called attention to what had been accomplished in Grahamstown and the villages of the settlement. “And what had they done to the Kafirs? He was conscious that in no single instance had he ever ill-treated them, and yet, as a member of the community, he was held up to the scorn and abhorrence of the world as a murderer, a plunderer, and a disgrace to the name of man.”

Mr. L. H. Meurant conceived that the exposure which had already taken place in this colony could not fail to convince every impartial person of the utter falsity and heartlessness of the charges brought against the frontier inhabitants by Dr. John Philip, as well as by Messrs. Pringle, Bruce, Buxton, and Captain Stockenström.

Mr. Godlonton took an active part in the agitation, and in the columns of the *Grahamstown Journal* ably vindicated the cause of the settlers. At this time Richard Southey was more a man of the sword than of the pen—of action rather than of speech. He and his family were, however, so intimately identified with the settlers, and so suffered and fought with them, that it has seemed desirable to give, as far as possible, from contemporary sources, a view of contemporary discussion.

At the close of the war of 1835 Mr. Southey's services, which had been most favourably referred to in general orders, received prompt recognition. He says in one of his memoranda—

“I was appointed Resident Agent and Justice of the Peace with certain of the Kafir tribes (the Amaslambies at Mount Coke), and served as such until Sir Benjamin D'Urban's policy was reversed, and the office abolished at the end of 1836.”

The official letter dispensing with Southey's services is dated 24th December, 1836, and states the regret of the Governor that, in consequence of arrangements which have been recently made by the Lieut.-Governor, his appointment as Resident Agent with the families of Nonube, Suvana, Umgahu, and Tzatzoe will cease from the last day of the year, and “His Excellency at the same time begs to offer to you the assurance of his sincere regard for you, and to express to you his best thanks for your able and valuable services.” The letter is signed by John Bell, then Secretary to Government in Cape Town.\*

A new Pharaoh now arose who knew not the Colonial Joseph, and, consequently, Sir Benjamin D'Urban, the British settlers, and such men as the Southneys, were in disgrace. A terrible blunder was at the same time committed which cost the British nation much blood and treasure in subsequent Kafir wars. Lord Glenelg, who held the office of Secretary of State for the Colonies, looked from a very narrow and ill-informed point of view upon the annexation of country by Sir Benjamin D'Urban. In his opinion it was a simple act of spoliation. The Kafirs were consequently to have their country back, and the bushy fastnesses gained by the valour of British troops were restored to faithless and cruel savages, whose acts of rapine, plunder, and lawlessness were crowned with reward. But, worse still, the Kafirs

\* For an interesting epitomized narrative of Mr. Southey's military services from his own pen, see Appendix A.



were immensely encouraged to again make efforts in the same direction whenever a fitting opportunity offered. In a memorandum by one of the family we are told that the Southneys were disgusted with this unjust and retrograde step, and realized that life and property would still more than hitherto be at the mercy of the treacherous Kafir. Richard Southey and his brothers therefore considered it wise to remove to the midland division of Graaffreinet. Their losses during the war consisted of about 800 head of cattle, 1000 sheep and goats, as well as 50 horses and all their household effects.

For ten years, from 1836 to 1846, we must look upon Richard Southey as engaged in mercantile and farming pursuits. For that period he was occupied as a private citizen, and there are numerous old letters concerned with the bargains, the sales, and the general business of the time. He lived in a very comfortable house in the "Gem of the Desert," as the town of Graaffreinet was named. A long interval thus intervened between the acts of his public life, and it was not until the year 1847 that, on the appointment of his old friend, Sir Harry Smith, to be Governor of the Cape Colony, a new career opened up to him in the service of his country.

To show the character of his business transactions, and that they were sometimes on a larger scale than we should have supposed, we can refer to an agreement dated 13th March, 1843, between Richard Southey and William Shaw, both of the district of Graaffreinet, for the purpose of dissolving their present "partnership and entering into a new copartnership." Richard Southey takes over the farm Klipgat for the sum of ten thousand rix dollars (£750), and all the stock belonging to the partnership at a valuation. "The new partnership to be as follows: Richard Southey to stock the farms Modderfontein and Knoffelkoek with breeding horses, cows and heifers, 1200 woolled wethers (Cape sheep have no wool), one waggon complete, oxen, tools, and farm

implements." William Shaw to have a half share, manage the farming business, have the wool and milk, besides all he can gain by agriculture, but pay quit-rents and all expenses. Cattle and horse-breeding were no doubt profitable, and in sheep-farming there was a large annual increase. Accounts were made out at the end of every year, and Richard Southey drew half of all clear profits, and was left perfectly free to carry on his law agency and general business in the town of Graaffreinet.

## CHAPTER II.

1836 to 1846 : Ten years of private life—Arrival of Sir Harry Smith—Mr. Southey, Private Secretary and Special Agent—The Sovereignty and Moshesh—Letters from Sir H. Smith, Messrs. Shepstone and Godlonton—Reports from Mr. Southey—Letters from Messrs. Moffat and Fraser—Correspondence.

THE curtain which had descended on the drama of Mr. Southey's career when Colonel Smith left the colony in 1836 rose again upon the return of that great soldier in 1847. The new Governor and High Commissioner at once wrote to his old friend, and in the kindest manner invited him to come and see him, "unless his success in business made him desirous to continue his present career." The result was the offer of the appointment of Private Secretary, which Mr. Southey accepted, and with characteristic promptness he immediately joined the Governor's staff. Sir Harry Smith says—

"MY DEAR SOUTHEY,—Without circumlocution, I am anxious to know if you desire employment under me as High Commissioner again to settle our black children. If your prospects of life are very good I should say stay where you are ; if they are not, and it be in my power (for as yet, of course, I have decided on no future plan), I shall be, as you know, happy to avail myself of your faithful services. Let this communication be strictly confidential."

Mr. Southey proceeded with His Excellency to Buffalo Mouth (now East London), and thence to King Williams Town, where Sir Harry Smith met Sandilli with a large

number of natives. They subsequently proceeded overland to Natal, and met Commandant Andries Pretorius on imperial business.

It is desirable to explain that the emigrant Boers (*de harde-emigranten*) claimed the territory from the Vet to the Vaal River, as having been purchased by Potgieter in 1838 from the Chief Makwana for a few cows. When the tidings of the taking over of the country reached them, and they heard of the appointment of three British magistrates, they held a meeting at Potchefstroom, and adopted resolutions which they forwarded to the High Commissioner. In these they declared that scarcely one-eighth of the inhabitants desired to have a magistrate, and that they hoped the military operations with which they were threatened would not take place. They hoped also that His Excellency would acknowledge that they had a right to the land claimed by them.

So the emigrant Boers were in a state of unrest. The words of the Psalmist, "As arrows in the hands of the mighty, so are the children of those cast out," were exemplified in their case, for undoubtedly, if we look at history from the Boer point of view, they had been driven from the Cape Colony and Natal, and consequently they entertained bitter feelings against the British Government. Delegates from the Dutch farmers had complained to Governor Sir Henry Pottinger of the indiscriminate admission of Kafirs into the sovereignty. "They had lost," they said, "all that is or can be valuable to a farmer—the sense of security for life and property." Pretorius, as their leader, loudly called for an inquiry, but decision on the subject was postponed until the arrival of Sir Harry Smith.

A brief review of events previous to the advent of Sir Harry Smith seems desirable in order to clearly understand the position of both British and Dutch over South Africa. In Natal, so far back as the year 1836, American missionaries were allowed by Dingaan to found a station on the river

Umlazi, about eight miles from the bay; and in June, 1837, the English Missionary Society established itself. Captain Gardiner exercised authority over British subjects under a special imperial statute, and Europeans in Natal desired the territory in which they lived to be recognized as a British colony. At this time the great Zulu chief, Dingaan, claimed the whole country between the Drakensbergen and the sea as far south as the Umzimvubu, but exercised no direct authority south of the Tugela.

In October, 1837, Pieter Rietief, at the head of a small band of emigrant Boers, proceeded from Thaba Ntshu in order to obtain Dingaan's consent to their settlement in a portion of his extensive country. The Englishmen at the port were entirely in favour of this proposal. The unfortunate Rietief and his companions were received by Dingaan in the most friendly manner. Dances and feasting were followed by a seemingly fair agreement that if certain cattle taken from the Zulus by Sikonyella were returned the emigrants would be allowed to form a settlement. The stolen cattle, only seven hundred in number, were recovered, and nearly one thousand Boer waggons now crossed the Drakensbergen, and began to move out along the Blauw Krantz and Bushman Rivers in the promised land. Rietief, although warned, returned with a few men to Dingaan, and then obtained from this great chief a cession of Port Natal territory.

This grant was merely a trap for the Boers. The fair welcome was a farce, which became a tragedy when Dingaan called out, "Kill the wizards!" and sixty-six Europeans were slain, including Pieter Rietief and Thomas Holstead, his interpreter.

Three hundred and forty-seven men under Potgieter and Uys attacked the enemy, but, finding themselves inadequate in number, retreated to the Transvaal, and there, on the banks of the Mooi River, founded the town of Potchefstroom, and established the South African Republic.

It must be remembered that "the Boers" were emigrants from the Cape Colony, and that endeavours were made by the British Government to induce them to return to their former home. Those who were in Natal determined to remain there and punish Dingaan, and while they were considering the subject the Englishmen of D'Urban took possession of the port in the name of the Association of South African Emigrants. Sir George Napier, Governor of the Cape, issued a proclamation, in which he not only invited the Boer emigrants to return, and stated that they could not renounce their allegiance, but also declared his intention of taking military possession of Port Natal, and that her Majesty's Government was determined to permit no further colonization in South Africa.

Dingaan's army was thoroughly defeated by the Dutch emigrants, but a British military detachment was sent from Port Elizabeth to occupy Port Natal for the express purpose of preventing the farmers forming a separate Government. This, however, they persisted in establishing at Pietermaritzburg, after having made a treaty of peace with Dingaan, including specially the confirmation of the cession of land already referred to. In December, 1839, the British troops were withdrawn from Port Natal, and any idea of forming a British colony there was abandoned.

Taking advantage of a quarrel between Panda and Dingaan, the Boers declared for the former, and were able, when the latter was conquered and killed, to annex (on 14th February, 1840) "all the land from the Tugela to the Black Umvolosi, including St. Lucias Bay." Then came a very democratic Government, carried on in such a manner by well-meaning, but intensely ignorant people, as to result, Mr. Theal tells us, "in utter anarchy."\* The Dutch emigrants were not content with two republics—one in Natal and the other in the Transvaal—but several parties of them acted independently between the Vet River and the Orange.

\* *History of the Boers in South Africa*, p. 137.

In 1840 Sir George Napier was asked to acknowledge the emigrants as a free and independent people, but he considered that the weakness of their government might become a fruitful source of individual acts of wrong, and that as British subjects they could not throw off their allegiance.

He was prayed to declare their settlement "a free and independent state under the name of 'The Republic of Port Natal and adjoining countries.'" An attack on the Bacas in force, under Commandant General Pretorius, precipitated matters, and convinced Sir George Napier that British interests in South Africa were now imperilled, as anything that tended to drive the natives down to the Cape frontier increased war dangers.

British troops were sent to protect Faku from the emigrants, and they were informed that no communication could be held with them until they acknowledged their allegiance to the British throne. A garrison was also placed at Natal.

The Volksraad in Pietermaritzburg, on 21st February, 1842, in a long letter to Sir George Napier, energetically defended their position as an independent Republic, and most emphatically protested against any appropriation of their land. The language used shows clearly the position taken up by the Boers who had to be managed by Mr. Southey in the Sovereignty.

"We know," they say, "that there is a God, who is the ruler of heaven and earth, and who has power, and is willing to protect the injured, though weaker, against oppressors. . . . We cannot allow that might against right should triumph. We are able to convince every true philanthropist that our intention with regard to the Kafirs is founded on true philanthropy. . . . We are bound to declare our conviction that we shall not be safe in this country, or even able to subsist, if we again submit to a Colonial Government as before. . . . Fate seems, therefore, to drive us to one of two choices, namely, to bend ourselves like oxen to bear willingly the burden; or, in the defence of our

rights, of our possessions, nay, even of our lives, to take to arms and fight against our oppressors, and with our fall or failure to end our troubles on earth."

Only one termination to these events was possible. Colonel Cloete relieved the small British force besieged at Port Natal, and the Dutch emigrants, much against their will, were forced to submit. Lord Stanley, then Secretary of State, although not much in favour of establishing a new colony, ordered the Governor to inform the emigrants "that the allegiance which they owe to the British Crown is, according to the laws of the British Empire, an obligation which it is not in their power to disclaim or to violate with impunity."

Although the great majority of the emigrant farmers moved to Natal, or to the country drained by the Vaal River, nevertheless, a few hundred families remained along the lower Caledon, in the country known eventually as "The Sovereignty," and these were afterwards supplemented by Boers from Natal. These people neither acknowledged the Patchefstroom nor Pietermaritzburg Government, but were fully imbued with the sentiments of their brethren, already illustrated and explained. A great factor commenced to operate when Dr. Phillip and the Exeter Hall party took command of the British Government and people. A plan of sustaining and protecting native chiefs was established, and Moshesh, the Chief of the Basutos, was sufficiently astute to declare his approval of it.

The Griquas, or Bastards, had also to be counted with, and, on the whole, an embroglio of a most striking and peculiar character existed. It was on the 22nd October, 1842, that the whole country from the 22nd degree of longitude eastward to the sea, north to the 25th parallel of latitude, was solemnly proclaimed British; but Sir George Napier repudiated this assumption of territory, and at the same time firmly held the emigrant Boers to their allegiance. While doing so, he enraged them exceedingly by granting



independence to various native tribes as well as to the Griquas. Hostilities at last broke out between Adam Kok's people (Griquas) and the Boers; so that in the year 1845 a brigade of British troops had to be sent up to quell the disturbance. This was easily effected, and their commanders, Mocke, Kock, and Du Plooy, with their adherents, retired to Winburg. A party under Oberholster, which had from the first tried to keep out of the strife, took the oath of allegiance to her Majesty. Another party, under I. T. Snyman, had kept aloof, and professed to hold their lands from Moshesh.

Sir Peregrine Maitland held a great meeting of chiefs and others at Tauwfontein in 1845, and then a plan was arranged under which the great Griqua territories under Adam Kok were to be entrusted for administration to a British Resident. Major Warden was eventually appointed to this office. The proposal was at the same time made by Moshesh to give up, for the use of Europeans, a small triangular piece of ground between the Caledon and Orange Rivers. It ought to be mentioned that a large number of Boer farmers had settled down in country which this chief claimed as his own.

Sir Peregrine Maitland wisely employed a Special Commissioner (Mr. Joubert) to examine thoroughly and report. This gentleman found most of the Boers to be republicans, that the missionaries held opposite opinions among themselves respecting the rights of Moshesh, and that the chiefs were by no means united. The French missionaries and their patron Moshesh had become extremely powerful, while the Boers obstinately maintained their republican views at Winburg. They were, however, attacked by Major Warden, and then a portion of them agreed to accept a Landrost from her Majesty's Government.

Certainly the position of the emigrants was at this time most lamentable. Commissioner Cloete, at Natal, had called upon those who remained below the Drakensbergen to prove

rights of occupation before a certain period; but most of them were unable to do so. In desperation they sent Messrs. A. W. J. Pretorius and Du Plooy to represent their case to Sir Henry Pottinger, but that Governor would not even receive them.

It will be seen from the foregoing what peculiar complications existed, so far as the Boers and natives were concerned, when Sir Harry Smith arrived as Governor in December, 1847, and into what an embroglio Mr. Southey had to plunge when he undertook the office of Special Commissioner in the Sovereignty, and had to collect tribute from the farmers.

Mr. Pretorius placed his grievances before the public through the press.

“Where,” he said, “was the Government with its power when, surrounded by miseries and bloodshed, we found ourselves suddenly in the midst of cruel barbarians? when upwards of 400 men, women, and children were murdered by these wretches? Were we not, then, its subjects when we were compelled from oppression to quit the land of our birth and plunge unprotected in the wilderness?”

Sir Harry Smith began to try to evoke order out of chaos in the Sovereignty, and numerous letters show how important a part was performed in this service by Mr. Southey. His Excellency went up to that country in 1847, proclaimed the Queen's authority in February, 1848, and Bloemfontein was made the seat of Government. A Land Commission which was appointed divided the territory into the districts of Bloemfontein, Caledon River, and Winburg; quit-rents were fixed, and magistrates appointed. The Governor estimated that the cost of government would amount to about £4500 per annum, and that the annual revenue might considerably exceed £5000 yearly.

It must be admitted that the Imperial authorities very reluctantly approved of the extension of British territory beyond the Orange River; but it was believed that the natives

required protection, and that the farmers—poor and without government—would gladly submit.

Boundary and land-claim difficulties were serious. French missionaries had entered into a virtual alliance with Moshesh, the Chief of the Basutos, and vast dissatisfaction existed in the minds of the emigrant Boers with reference to the position of the natives. Indeed, extreme confusion existed when Mr. Southey was sent up with full power, not only to investigate and report, but to make definite arrangements for the settlement of the new State.

In a characteristic manner, Sir Harry Smith had declared—

“Oh, how I detest the name of war and commotion! The many battle scenes I have witnessed arise like phantoms to my imagination. But as I abhor war, so will I terribly wield its power if you drive me from your affection. If you compel me to wield the fatal sword, after all I have attempted for you, the crime be upon your own heads; and while my troops shall exult in victory, I will weep as you have seen me do over the fallen, the defeated, the deluded; your lands shall be wrested from you, your houses destroyed, your herds swept off, your own hearts blackened by wicked ingratitude, and your faithful, your generous friend, who has exerted himself for your exclusive benefit, turned into the avenger of evil.”

In consequence of the action of the Sovereignty Land Commission in defining the boundaries of districts and the limits of farms, Pretorius raised the “standard of rebellion.” On the 17th July, 1848, he appeared before Winburg, and forced Major Warden to surrender. When the Governor heard this he set off at once for the Sovereignty,\* gave orders that all available troops should march thither, declared Pretorius a rebel, and offered £2000 for his apprehension.

\* When endeavouring to cross the Orange River, the troops were baulked by difficulties connected with getting a boat across. Sir Harry lost his temper, and threatened to shoot the men in the boat; but in the evening, after dinner, Mr. Southey suggested that a much lighter rope for the boat should

Sir Harry Smith, with Richard Southey riding by his side, entered the Sovereignty with two companies of the Rifle Brigade, two of the 45th Regiment, two of the 91st Regiment, two troops of the Cape Mounted Rifles, and two field pieces. There were in all nearly 700 men. The rebels retreated precipitately, leaving their dinner only partially cooked; and several friendly Boers accompanied our force. All went well until Boomplaats was reached on the 28th August, 1843. Mr. Southey had already warned Sir Harry Smith that the Boers would give battle, and the Governor's answer was, "They dare not." At the Governor's request, Southey rode forward with two Cape orderlies in order to parley with the Boers, when they fired on him, and both his orderlies dropped off their horses, but he was not hit. As the British force was leaving this place they received a very unexpected volley of musketry from Boers concealed behind hillocks. Sir Harry and Mr. Southey, riding together, were disturbed by bullets flying around them, and then Sir Harry, after a few strong observations, ordered the Rifle Brigade to charge the left flank of the enemy, while two companies of the 45th moved upon their left centre, and the 91st on their right centre; at the same time the guns operated with effect upon points where the enemy appeared most numerous. The Boers for some time stood their ground, but at last were pushed back from the ridge of low hills to the neck of the higher ridge behind. Subsequently, by a combined attack, the Boers were entirely driven from their position, and dispersed over the open country. This action was styled by Sir Harry Smith "the most severe skirmish he ever witnessed," and lasted for three hours. Certainly, the Governor and Mr. Southey had reason to be thankful for their escape, as they were in the hottest of the fire during the engagement.

he got from Colesburg, in the shape of a sash-line. "Why the — did not you say this sooner?" said his Excellency, who ordered Mr. Southey's suggestion to be immediately acted upon, with complete success.

The official account of the battle of Boomplaats, taken from despatches, is as follows:—

“ A force consisting of two companies, Captains Murray and Harding, of the 1st Battalion, two of the 45th, two of the 91st, and two squadrons of the Cape Mounted Rifles, in all 700 strong, with two six-pounders, under the command of Colonel Buller, was ordered to proceed against the disaffected farmers. Marching *viâ* Colesberg and Phillipolis, they arrived on the 29th August, 1848, on the slope of a hill overlooking an extensive plain called the Boomplaats, which extended about twelve miles, and was terminated by a range of low rocky hills, rising one above another in height. Through these hills the road or track wound, and on them the Boers, estimated at about 2500 or 3000 in number,\* had taken up their position, adding to its natural strength a kind of breastwork of piled stones. Had it been defended by disciplined troops under a competent leader, it would have been, if not impregnable, at least not to be forced without most serious loss.

“ The British force arrived at the foot of the hills between 1 and 2 p.m., when Colonel Buller ordered the Cape Corps to advance, and to endeavour to turn the position in front and by both its flanks. But the Boers receiving them with a heavy fire, and some mistake having occurred in executing the order, they retired, and cleared the front for the riflemen, who in extended order advanced and drove the enemy at the point of the sword from the first and through the second range of heights, and kept up a galling fire on them as they retreated to the third and highest crest. Here they rallied their whole force and delivered a telling fire, under which men and officers fell fast. But nothing could stand the dash of the riflemen. This last position was carried, and at the end of two hours' hard fighting the Boers fled, after a short attempt at resistance behind the walls of a kraal. Then the troops were formed at quarter distance behind the guns, which opened with grape and shrapnel on the flying enemy, delivering their fire, limbering up, and advancing to the front, then firing again. Thus the pursuit was continued for about eleven miles, until, from sheer inability to proceed further, the

\* Theal, in his *History of the Boers*, states that the number of the Boers did not exceed 750.

troops halted at Culverfontein for the night. The loss of the British included Captain Murray and Ensign Babington, 14 soldiers, and 6 Griquas. Sir Harry Smith reported that 49 dead bodies of Boers were found on the field, but this was denied by the farmers, who stated that their loss only comprised 9 killed and 5 wounded."

The Governor, with his Staff, now proceeded to Winburg, where the people readily came forward and took the oath of allegiance. On the 7th September, 1848, British sovereignty was reproclaimed at Bloemfontein under a salute of twenty-one guns. Regulations for the better government of the country followed; a local council was formed, and four magistracies established. In reporting to the Secretary of State, the Governor remarked—

"It must not be expected that perfect cordiality can at once be established among men who have for so many years led so unsettled a life as those emigrant farmers; men, moreover, of strong prejudices, jealous to a degree of what they regard as their rights, constantly at variance with one another, and evincing that want of confidence which I hope will be speedily removed."

There can be no doubt that Sir Harry Smith was greatly assisted by the knowledge and sound advice of Mr. Southey. The Governor was a better soldier than politician, and possessed romantic sentiments, accompanied sometimes by dramatic action—in fact, he "wanted ballast;" and, fortunately, Mr. Southey was beside him to supply it.

It is very difficult to appreciate adequately the immense difficulties connected with Mr. Southey's mission. As illustrative of his coolness and bravery, we may mention that a lion-hunt took place, when he was warned not to be present, as this opportunity would be taken to shoot him. In reply to earnest entreaty, when he was told that "bullets can take a wonderful direction sometimes," he answered in Dutch, "The bullet is not yet moulded that is to kill me." After a ride of seven miles, Mr. Southey dismounted, and

started two lions out of their ambush in a reedy patch about twenty feet square. One of the pair, a lioness, was subsequently confronted in open country where there was no cover, and shot at a distance of a hundred yards.

Among the emigrant farmers at this time every evil or scourge that South Africa had groaned under was attributed to British rule. As a well-informed writer tells us \*—

“There were in those days many sayings and *geloven* (beliefs) among the outlying Dutch farmers which attributed the principal evils suffered in the colony to the English. Various diseases among the people, unknown before, had made their appearance after the taking of the country in 1806; and some of the chief inhabitants, particularly men who had held high offices under the Dutch administration and accepted office afterwards under that of England, had been smitten with these diseases. One of them had no rest, seldom slept; and when he died it was discovered that myriads of small vermin had taken up a position under his skin, and been for ever gnawing his flesh. Then the rust in wheat, smut in oats, lice in cabbages, and such-like scourges had come in with the settlers of 1820.”

A Hollander who was in the Sovereignty at the same time as Mr. Southey specially animadverted upon the admission of Hottentots to citizens' privileges, emancipation of slaves, non-payment of value, Kafir troubles, and a host of other things which made the Cape Colony unbearable as a place of habitation to the South African Boer. They had trekked in consequence, and now only wanted to be left alone.

Perhaps the most daring and well-executed acts of Richard Southey's life were those connected with his special mission to the Sovereignty. The Governor left him behind at Bloemfontein to collect the fines levied on the Boers. As one of his brothers wrote—

“This was a most hazardous and difficult business, and had to be done with the veriest shadow of military aid. He,

\* *Cape Monthly Magazine*, 1872, vol. iv. p. 76 *et seq.*

however, did it with conspicuous success, and without creating friction; mingling with the Boers in a friendly way, joining in their hunts and dance parties. To every one's surprise, he collected all the fines. Commandant Pretorius he had to follow up beyond the Vaal River—in those days a land without law or order. He remained in Bloemfontein until the country had quieted down, and Major Warden had been installed as British Resident."

The acquisition of 35,000 miles of good country between the Orange and Vaal Rivers was undoubtedly a boon to the people of the Sovereignty, and an advantage to the Empire. This was subsequently proved when, under good government, it became a prosperous country; but the fatuous retrogressive or "scuttling" policy, which took place in 1853, resulted in this fine territory being abandoned against the wishes of many of its inhabitants. A remarkable sequel took place in 1902, when it again became a British colony.

The more important letters of this period are now appended, as they throw light on the opinions and transactions of the time.

In August, 1847, Dr. Fraser writes as follows:—

"Bloemfontein, 5th August, 1847.

"MY DEAR SOUTHEY,—The aspect of affairs is beginning to look threatening in this part of the world, and I fear we shall have a serious disturbance ere long, unless matters are managed in a very different way from what they have lately been. You will probably have heard that Sikonyela, seeing he was not getting his cattle back from Molitsani, as Major Warden promised he should, has attacked Molitsani, assisted by Gert Taaybosch and some of Jan Bloem's people, and killed 34 of Molitsani's followers, and taken cattle. This was only what might have been expected, considering the way in which Molitsani was allowed to trifle with the Government authorities. Moshesh has written a strong letter to Warden, upbraiding him with being, indirectly at least, the cause of this loss of life. It appears to me that all confidence between the Major and Moshesh has ceased, and that they now mutually distrust each other. The Major seems unduly prejudiced against Moshesh,



and declined to take the trouble of reasoning and talking with him that common justice required. With regard to the boundary question between Sikonyela and Moshesh, to the best of my knowledge and belief the Major never once broached it to Moshesh at Prynns on our late patrol. He certainly mentioned it to his son, and to the chief himself afterwards by letter, but not face to face, and in public, as it ought to have been. The Major seems to have laid it down in his own mind, as it appears to me without sufficient consideration, that there *must* be a war with the Basutos before we have peace. His mode of conducting business, or rather of not conducting business, with Moshesh is not unlikely to lead to such a result, but heavy will be the responsibility of that man who will heedlessly and thoughtlessly thrust a war with a bordering savage tribe on this young and rising country. It is not for me to become Major Warden's accuser, but both for his own credit and for the sake of this community that bids fair to be a flourishing one, I could see him retire to private life with satisfaction, as for such alone is he fitted. This to you, Southey, cannot be new, and I hope you will try your utmost to prevent a war being thrust upon us, and Moshesh driven to fight against us. Let him be treated at least as well as Moroko, and be a little consulted with regard to his boundary-line. While Moroko is taken to the top of a hill and allowed to point out his own boundaries, Moshesh's are laid down in his absence without a word being heard from him in objection, if he have any. His people are then ordered to move beyond the line, to them imaginary, as their chief is not a party to its formation, and about which they can know nothing. Let Moshesh be present at the laying down of a line, and his objections be heard as his neighbour chief's were. The law of nations demands that they all be treated on an equal footing.

“If Moshesh refuse to comply with what may be considered an equitable boundary, it will be then time enough to compel him. War is easily begun, but far from easily finished. We all know it is the last resource to which recourse can be had when every other means has failed. Even were we in every way prepared for it, it should be used only in extremity. However, it is most undesirable to commence it, when the country is only recovering from the disturbances of the last year, and crippled in friends and probably forces.

“ I would to heaven you were here employed to act, or some other man of ability and energy. I write strongly, but I do so only from the extreme interest I feel in the welfare of the Sovereignty, and for no other motive whatever. I earnestly trust, therefore, that Sir H. will not sanction any attack on Moshesh until all that has passed between him and Major W. has been submitted to impartial inquiry. I intend this for your own eye alone, but should you think anything in it likely to assist you in averting that cursed war from the Sovereignty, you are free to use it as you will. Pray write *soon*, and with best regards to yourself and Mrs. Southey,

“ Believe me,

“ Yours faithfully,

“ A. F. FRASER.”

In July, 1848, Mr. O'Reilly, a Magistrate in the Sovereignty, writes—

“ Smithfield, Caledon River, 16th July, 1848.

“ MY DEAR SOUTHEY,—Rumours are again afloat of Pretorius intending to move down with two divisions, and the people are as uneasy and unsettled as they were in May. I have done and am doing all in my power to disabuse their minds, but I fear to little purpose. Secret communications are carried on from the rebel party about Winburg to such an extent that all I can say or do will have but little effect, although God knows I have exerted myself to the very utmost, and these are conducted in such a shrewd manner as to make detection impossible. I learned yesterday from one of my Field Cornets that secret communications are carried on with some one in the East Riet River division of Somerset, and that frequent communications take place between that quarter and A. Pretorius; but who the rebels are within the colony I cannot guess.

“ Most sincerely yours,

“ J. O'REILLY.

“ P.S.—How on earth am I to get on without money to pay the salaries?”

Mr. Robert Moffat, Junior, argues in a letter against

forming a township at Elands River (taken to be the real headwater of the Vaal), and prefers a site on "the splendid high rand of Platberg, with the view of the Drakensbergen and other hills in the distance—extremely beautiful." He goes on to say—

"As to matter beyond Vaal River, Pretorius is, I think, a great man there again. They held a great 'Byeenkomste' about two months ago (at Drie Poort) for the formation of a Raad, but neither the Hollander nor Potgieter nor Lombard were present. Potgieter was vexed with them because they had at the previous meeting made a resolution to allow him the Chief Commandantship till his sixtieth year, when he would be required to resign it and submit to the Raad. To this last meeting he sent a message that unless they allow him to remain an inseparable and perpetual 'Lid van de Raad' he should withdraw his own name, and that of all his partizans, from the 'Maatschappij of Emigrants.' They did not comply, and he has done so, and is now actually on trek from Zoutpansberg in a N.N.W. direction into the vast interior. This peace-loving villain is determined never to submit himself to the English Government. We hear contending reports of the Hollander.

"Hendrik Prinsloo has just come from Mooi River. He says, and I think you will credit him, that his great desire is that Vaal River be considered the boundary, and that there is a strong determination on the part of the Magaliesberg party to resist British authority. They say so long as they are allowed independence they will permit intercourse with the colony, but otherwise not. Hendrik paid 10s. for a licence of three months. All British 'ouderdom' wishing to proceed beyond the river have to pay 100 rix dollars licence. One old fellow, a burgher here, De Wet, told me he heard Pretorius, in the last 'Byeenkomste,' say that his partizans must not imagine that he will ever again interfere with the south side of the Vaal River—not mentioning, however, his intentions with respect to the north. There is a party, of whom I wrote you at Origstad, where the fever has carried off forty instantaneously. They have abandoned the town, and chosen a new site called 'Kruger's Post,' about four hours higher to the west. Their leader, Cobus Burgers,

is dead too, so you will see there are three parties beyond the Vaal.

“I have the honour to remain,

“Yours obediently and respectfully,

“ROBERT MOFFAT, JUNR.”

The Governor writes—

“Bloemfontein, 14th September, 1848.

“DEAR SOUTHEY,—On arriving yesterday I found everything going on right, and Warren in great spirits. The fort, which I shall call ‘The Queen’s Fort,’ will be a capital work, and very soon constructed. If Field Commandant Kokomoer (or Cucumber) and his party have not come on, send for old Silgee (Celliers), and half frighten him to death. Now is the time to start all hands. I do not know whether I gazetted the War Tribute Commission for the Vaal district, and Garvoek cannot tell me, so I enclose it. I found Snyman awaiting me, but I have sent him to Smithfield to collect his people to talk with me. Halse will be my guide. I start on Saturday morning, but Morokos is out of the way, so I shall not go there.

“Faithfully,

“H. G. SMITH.”

Subsequently, when in the colony, Sir Harry writes —

“Graaff Reinet, 29th September, 1848.

“MY DEAR SOUTHEY,—Here we arrived yesterday, and are most comfortably put up in your *elegant house*. Mrs. Southey looks quite well, and bore her disappointment of your not returning as well as I expected. She rode on forty miles to prepare for us, and will insist on giving us up the whole house. We are off, however, again to-morrow for Somerset. William came a long way to meet us. Nothing can exceed the warmth of my reception everywhere, but especially here. Some of the papers are twaddling about the execution, always catching at something. You will be glad to know that I have received Lord Grey’s approval of all I have done at Natal and over the Orange River. Nothing can be more satisfactory than his Lordship’s tone and style—which fits on very well to our late transaction. I long to hear whether Potgieter has come, and whether he means to be

Landrost. Of all your proceedings, however, I know I shall be apprised as often as possible. I hope to reach Grahamstown on the 12th October. How long I shall have to stay there I do not know. The Eastern Province, or rather Grahamstown and Port Elizabeth, are vociferous about 'a separate and distinct Government.' Be sure to get on well with Warden. He is very easily managed, but, like all weak men, very soon affronted.

"Faithfully,

"H. G. SMITH."

Another of the same date is as follows:—

"Graaff Reinet, 29th September, 1848.

"MY DEAR SOUTHEY,—I have received all your very satisfactory communications up to the 21st inst., and I fully approve of all you have done and are doing. Kick Speis, but pardon him on the conditions in my official. My best regards to Bester. I can listen to no reduction of fines imposed by the Commissioner; it would be useless if I did. Do as you wish with the Cape Corps, but, as you say, so soon as they are not wanted at Winburg they had better be at Bloemfontein, but do not send them away too soon. Now is the time to establish the mastery. Talk to Paul Bester about selling Jacob's farm, and frighten that old rascal Silgee—if that is the way to write his name. Stir up Mr. Kukumer also, but I think, as you say, he is employed in never allowing one to think he *has escaped or deceived* you.

"Faithfully,

"H. G. SMITH.

"Whatever document you give Spies as a temporary pardon, send copy of it to Lieut.-Governor Natal and also to Warden. I say 500 rix dollars fine for Spies because I suppose him to be very poor, but if rich make him pay three times that sum if Bester says he can; but there is no discretion in imposing what a man cannot pay without borrowing the money."

From Captain MacDonnell, on his Excellency's Staff, writing from Cape Town, comes the following letter, dated 19th October, 1848:—

“MY DEAR SOUTHEY,—Many thanks for your note arrived with the *tin*.\* What a spec it would be were it all for one’s self! You appear to be getting on very well. Squeeze them well; it is the only chance; by-and-by I suppose it will become more difficult.

“The Governor, etc., are expected on Saturday by the *Phœnix*. They were to leave Port Elizabeth 2 o’clock yesterday. Lady Smith intends coming in early this morning. Cloete will be in his glory—guards of honour, etc. Hugh (Holbeck) is flourishing. Government House looks like a ruin, being quite dismantled. There is one habitable room—the Governor’s office. A large party at Sir John Wylde’s to-night. Lady Smith and party go at 4 o’clock—sort of late tiffin. Others are to arrive by 7, when there is a concert, and then others again are to arrive by 9, when there is to be dancing. You see, therefore, three sets; we go in the middle. . . . You will have seen by papers the great doings at Grahamstown—dinners, soireés, etc. The Governor is highly pleased with the dinner, and says quite a reaction has taken place in the feelings of the inhabitants, and everything passed off with the greatest unanimity and harmony. So far, so well. Garvoek is delighted at the idea of coming by sea. He did not at all like the idea of another Long Kloof business.

\* \* \* \* \*

“Very truly yours,

“H. J. MACDONNELL.”

The Governor writes from Cape Town, under date 9th November, 1848—

“MY DEAR SOUTHEY,—

\* \* \* \* \*

“I learn from Warden that Moshesh and Sikonyela are at active war. That must immediately be put a stop to, and peace established. You have my authority to act in all cases without further instructions. It appears to me desirable that both you and Warren see both Moshesh and Sikonyela, settle their

\* Mr. Southey had been very successful in collecting “the tribute” levied by the Governor. Sir Harry Smith considered this one of his most important duties, and it was certainly one of the most arduous.

boundary question, and all other matters. They shall not fight longer than your arrangements are made. From all now before me, it appears Sikonyela is the aggressor. I shall be glad to get your report of your visit.

"Everything goes on right in Warden and Vowe's commission, and the sums realized will be considerable.

"I have great confidence in all you do, but peace must be maintained throughout.

"Faithfully,

"H. G. SMITH."

The following letters from Sir Harry Smith are characteristic and interesting :—

"Cape Town, 24th October, 1848.

"MY DEAR SOUTHEY,—I arrived here on the 21st, and found awaiting me your letters of the 30th September and the 4th October, with all the documents accompanying them. Nothing can be more satisfactory or discreet than all your proceedings. I have only time to reply briefly.

"1. You were quite right in returning the arms as you have done.

"2. I await further communication from you as to William Jacobs.

"3. I am glad to hear Abraham Smuts has acted so honestly; as to the war fizzle of the Natal fellows, I must think of them.

"4. Potgieter must be out of the way, or he or Kruger would have done something. Meurant has a bad opinion of Potgieter.

"5. I will hereafter place the licences on a footing with those in the colony.

"6. Make any present you like to Meyer D. Wessell.

"7. I am glad to find the patriots now desire to have their farms registered.

"8. Vermeulen shows a contrite spirit.

"9. I approve of your communication to Moshesh. I hope the affair has been exaggerated—you must be very decided about 'Peace.'

"Your letter 3rd October.

"10. Bester appears doing his best. Of course his party will be dissatisfied with him.

"11. I shall be glad to hear the Cape Corps have returned. You were right in sending them.

"12. I dare say your notice was all right to the people beyond the Vaal River, but I do not find the copy.

"13. That poor devil Pretorius has paid dearly already for neglecting my kindness.

"14. Let Du Ploy's fine remain as it stands. He was an incendiary. At Somerset he has relations who believe he was killed.

"15. I very much approve of your treatment of the poor boy who saved Salis' life.

"16. I hope the quarrel between Moshesh and Sikonyela may have been arranged.

"17. Glad to hear of the activity of the Elders and Deacons. Faure and Robertson have started for Winburg.

"18. Well done, the schoolmaster!

"19. Rex shall not resign his present berth, nor Moffat either!

"20. Vowe will get on very well. I have sent O'Reilly to his old berth at Somerset

"21. Warden will get a good deal from the rich fellows in Griqualand.

"22. You and Warden must arrange your post so as to reach Colesberg in time, but not before.

"Faithfully,

"H. G. SMITH."

"Cape Town, 2nd November, 1848.

"MY DEAR SOUTHEY,—By yesterday's mail I had the pleasure and great gratification to receive yours of the 5th October as to Moshesh. I will answer the Chief. You are quite right in insisting on peace; also of the 9th, dated Farm of Field Cornet Van Vuuren; of the 10th as to John Kok. He is not angry, he is a funk; also two of the 17th, which I will proceed to answer in detail; also copies of letters to Secretary of Government Natal, and various Minutes of Proceedings of the Tribute Commission; also Paul Bester's claim to farms in Port Natal, which I will attend to and see what can be done.



“All your proceedings, as reported in letter of the 9th inst., I highly approve. Your going to Potchefstroom is a most energetic act, and I have no doubt of your being civilly treated. Kruger's letter to me is really thanking me for my pardon, and that he was coming to see me. He will have been with you before this. You are quite right as to the boundary question. It must be arranged finally by you and Warden. Your record of Pretorius' plans is highly interesting. I shall publish them, avoiding all trifles, and send home copy to Earl Grey. Recommend, in conjunction with Warden, men to me capable of filling the position of Justices of the Peace. I see no objection to the Commissioners' Clerks. Lombard is a vulgar beast; when you meet he will be more polite. I quite agree with you, William Jacobs is too notorious a rebel to be let off—sell his farm. There is no strength in Government pardoning one day and proscribing another. Thank Venter, Botha, and Bester for their messages and exertions, and that I rely upon them with confidence. I now proceed to your second letter of the 17th. Nothing you have done has caused me uneasiness, my confidence in your judgment and discretion being too firmly established. Many more, if not all, will return as soon as your just and lenient procedure becomes generally known—they are so truly appreciated. Be moderate in your seizures, and let leniency with decision mark your steps as they have been heretofore marked. I rely upon your just moderation.

“I shall now refer to page 1 of your Minutes of the 14th inst. as to Bezuidenhout and Piet Brits. I approve of the fine on the former, which, when paid, shall release him from the outlawry as you request. Communicate accordingly. I approve of your course and recommendation in favour of Piet Brits. Let him return to his farm—he is a man of blood. As to John Kok's farm in Griqualand, you and Warren must report what can be done. Pretorius has received affliction from above. I am glad his son is not dead; I pity the poor young man. I have received a communication from Lieut.-Governor as to Howell, and I am glad to find that he had been with you. I very much hope the post will be firmly established; it will, as you say, in the beginning be expensive, but it is not to be avoided. Howell's account of the returning families is very good. I must, and so must you, insist upon Moshesh

preserving peace ; but he ought to have redress. In settling the boundary question, you and Warren, being together, will have an opportunity of enforcing by argument my views. I have every confidence in your getting on well with Warden, who is ready to do right as soon as it is apparent what that is. I liked Botha's blunt, honest style. Repeat to him my faith in his exertions. Your account of poor Dreyers' relations is very interesting, and shows how greatly the power of the law is regarded. Enquire into the circumstances of the widow. Poor creature, hers is a truly melancholy case, and, if in distress, something must be done for her. I am truly glad to learn you are so well treated by *all*. I hope you will succeed in finding the site of a town ; and I am pleased to find Rex has given satisfaction in the mode he has laid out Winburg. Your pecuniary arrangements are *admirable*, and set on foot the mode of delivering land certificates on a firm but quick foundation. You must return *via* Bloemfontein and Smithfield ; finish everything then. If old Botha does not pay at once, I will double his fine and seize his property too.

“ Ever faithfully,

“ H. G. SMITH.”

“ Westbrook, 16th November, 1848.

“ MY DEAR SOUTHEY,—I received yesterday your letter dated Bloemspruit, 22nd October. I approve of your going with Venter as you propose, and I am glad you name a prospect of return. I have printed in the *Gazette* the notice you sent me, and copies will be despatched as you wish. These applications for land show a degree of confidence we desire to create. I know you will in every arrangement promote it, but we must be most impartially just, and the precaution your notice takes is most correct. The quit-rent, upon the average, is quite as much as I expected. Before you leave Bloemfontein and Smithfield, make arrangements for the collection of the quit-rents generally with Warden, in order that I may, on your return, be in full possession of this important subject.

“ I am happy to hear C.M.R. [Cape Mounted Rifles] have returned, but I hope you kept them as long as you required them. Warden has started to Sikonyela to settle the hostile feeling with Moshesh. I shall be very angry with the aggressor, and

indemnification shall be made. I fear the missionaries mix themselves up in these quarrels. If you receive this in time to enable you, quietly intimate to these respective missionaries that their duty is mine, not to espouse any cause but that of right or wrong.

“I see Lombard’s conduct will prevent you going to Potchefstroom, which I am not sorry for. Their disappointment will naturally create some violent feeling, which I hope you will not mix yourself up in. I shall be truly glad to see you *en route* back. I have promised your wife you are to go to Graaffreinet, and, of course, you will bring her with you. I do not believe that Potgieter has apprehended Pretorius. I shall be glad to hear from you again, as I see you attach some weight to Lombard’s anger; but he be d——.

“Faithfully,

“H. G. SMITH.

“I shall send regular commissions to our Landrosts, Commandants, and Field Cornets. It will add importance to their appointments, but I wish we could hear from Potgieter—whether he comes or not. Kruger keeps away that he may pay no fine—the cunning fellow.”

A letter from Mr. Theophilus Shepstone, dated “Pietermaritzburg, 13th May, 1848,” expresses the utmost possible surprise at the receipt of Sir Harry Smith’s manifesto against the emigrant Boers.

“We had heard some rumours of an inclination, and even intention, of some of the Boers on the mountain to resist the declaration of sovereignty, but nothing so tangible as to command much attention.”

He goes on to say—

“Pretorius, as you will learn, I presume, from the official despatches, has refused his seat at the Board of Land Commissioners, and appears to have made up his mind not to return to the district. I see there are some provokingly absurd instances of this kind during Sir Harry’s journey. I am satisfied most of these things are done by designing men, who work upon the credulity and ignorance of their fellows, aided by the feeling of distrust and dislike of British rule that predominates among

them all in that country; and this will always be taken advantage of, until they are made to act differently.

\* \* \* \* \*

“Everything here is as unsettled as it is possible to be. I should rather say uncertain than unsettled. An opinion is prevalent here that Sir Harry will be here again shortly on this account; but I confess I do not participate in it, because I think he must let his first medicine have time to operate before he can give another dose—the Doctor may perhaps think otherwise. He will, of course, know best how to treat his own patient.

“Very sincerely yours,

“T. SHEPSTONE.”

The veteran of the Eastern Province Press, Mr. Godlonton, writes from the office of the *Grahamstown Journal* on 14th November, 1848—

“DEAR SOUTHEY,—I have been disappointed at not hearing from you ever since Sir Harry left you in your ‘separate and independent Government.’ I do not, however, write this complainingly, as I can very well understand the worry and anxiety of your employment. . . . By a letter which I got from Cradock last week, it seems some of the untamed rebels have found their way back into the Colony, and, it would seem, are not afraid to utter boldly their seditious sentiments. If this be so here, how stand matters in your quarter? Some people endeavour to throw great discredit upon Sir Harry’s proceedings across the border, and endeavour to persuade all who heed them that there will of necessity be another outbreak. Is this so? What is your opinion upon the entire subject?

\* \* \* \* \*

“Business is horridly dull—some of our merchants quaking, and not a few of the smaller fry actually floored. All this is, of course, laid at the door of Sir Harry, who didn’t keep up the expenditure of half a million per annum. I am sorry to say our farmers are not much better off. Oat-hay from a dollar to 2s. per 100, and wool 6d.

“Yours most sincerely,

“R. GODLONTON.”

“*Private.*”

“Westbrook, 23rd November, 1848.

“MY DEAR SOUTHEY,—I have received your letters of the 2nd November, 11th November, and their enclosures. You have managed most capitally. I know not where to address you, so send this on a venture to Graaffreinet. I hope to see you and your family soon, although leaving such a comfortable home as yours is a bore. The sooner you come to me the better, for your observations throughout your travels will be of use to me. Warden’s a weak man, Biddulph is an alarmist of the most exaggerated, chattering character; he conceives ideas, then tries to find one to corroborate his romance. Rex sometimes sees clearly, but more often magnifies his subject. This territorial boundary is of real importance, for upon it depends peace, and I have no doubt but that you have made such arrangements as I shall be able to confirm. You are aware that Moshesh has aggrandized himself by his abilities, and that all the other chiefs are jealous of him—a feeling that their respective missionaries rather foment than allay. When we meet, and the whole of your Minutes of Proceedings arrive, which you lead me early to expect, the form of the future of the sovereignty shall be completed for Earl Grey’s confirmation; and it is now in progress under the Attorney-General’s auspices. So that you see, without any desire to have you, how important your presence is.

“The war tribute is fully as much as I could have expected—indeed, far more—and if I had a head over the Orange River, the present chaos might be moulded into a permanency of harmony and union; however, we must do the best we can with the tools we have got. Biddulph will, I fear, do harm wherever he can; he has no more moral courage than a butterfly.

“Lady Smith unites with me in affectionate regards to Mrs. Southey, whom we hope very soon to see with you—both in very good health.

“Faithfully yours,

“H. G. SMITH.”

“Government House, 7th December, 1848.

“MY DEAR SOUTHEY,—I have received all your letters up to the 22nd November. I highly approve of your energy in at

once proceeding to meet Potgieter. His is a curious letter ; I am glad, however, he is not coming as Landrost. Old Venter and Bester will get on well, if Venter desires to continue connected with Bester ; he is rich, and Bester is poor ; the latter, too, is young and active. I rely upon your prudence with confidence in your communications with Potgieter, and that you will enter into no agreement which can bear the construction of a treaty. These men are all Her Majesty's subjects, and we cannot treat with them. All that we can do is that which we have already done—confirm the Sovereignty within the limits proclaimed, and leave the crossing of the Vaal River to individual choice.

“I await with interest the account of your interview. I have sent strong communications to Moshesh, Sikonyela, and the former's two sons, and I have decided their boundary as proposed by the Commission. I have drawn up a formal document for your guidance as to Moroko's boundary, a duplicate of which I have sent to Warden in case it misses you. Warden is shilly-shally in the collection of his fines. I have desired him to pounce upon some one by physical force—that is, the civil power, himself, supported by military—and to apprehend Otto if possible. Vowe's procedure is the most indiscreet thing I ever knew, in taking into his own hands the control of Moshesh or any other Chief's subjects. Impress upon all, white and black, that my power over them begins on the 3rd February, the date of my proclamation, which was to protect all as I found them, and that the natives are to continue under their own Chiefs, and their usages and laws are to be respected where it does not involve any international right, and in that case all my officers are to act through the medium of the Chiefs, and to avoid the course adopted by the indiscreet Mr. Vowe.

“I have been up the country to open Mosterds Hoek Pass. I returned yesterday ; my last letter to you I addressed Graaff-reinet, which will account for you not hearing from me. You must settle the boundaries as well as you can before you leave, however glad I shall be to have you here, and Warden *must* collect the war fines due.

“I have much to arrange after your arrival, as to a plan of future government of the Sovereignty, which I must submit to Earl Grey.

“ Faithfully,  
 “ H. G. SMITH.”

The following is the document mentioned in the above letter:—

“ Government House, 7th December, 1848.

“ 1. The question of boundary between Moroko, Moshesh, and the emigrant farmers is of an intricate character, and must be dealt with cautiously, with every endeavour to act justly towards each of the parties interested—to please all is impossible.

“ 2. My proclamation of the 3rd February was to establish the possession of property as it then existed—to protect the rights of all, white and black.

“ 3. I am not disposed to move any of the emigrant farmers there established, except those east of the Modder River, along its junction with Moroko Spruit.

“ Mr. Southey will endeavour to arrange matters upon this principle, submitting any plan proposed for my approval.

“ 4. If any farmers have been tolerated on Moroko's territory, and have built thereon on the faith of such toleration, and are now required to remove, indemnification must be made, and other lands must be granted them.

“ 5. Mr. Southey will most faithfully record all evidence he may obtain upon which he finds the boundary-line, and submit the record to me with the plan proposed.

“ H. G. SMITH.”

The following is a confidential communication to the Governor:—

“ Graaffreinet, 21st December, 1848.

“ MY DEAR SIR HARRY,—I left Bloemfontein on the evening of the 6th, and reached Smithfield on that of the 8th. On Saturday, the 9th, I visited first the French Missionary Institution at Carmel, and settled a dispute between the missionaries and a Mr. Donovan, respecting the right to a portion of the farm on which the Institution is placed. \* \* \* I proceeded thence to Lapino, and arranged his boundaries. Before leaving Winburg on my return I wrote to Moshesh requesting him to meet me at Smithfield on the 8th, to go over his boundary question. On the 9th I received a note from Mr. Dyke, one of his missionaries, asking me to delay until the 11th; this I did, and then rode over to Beersheba, 35 miles east of Smithfield,

expecting to meet him. He was not there; but later in the evening his son Nehemiah and General Joshua, his brother, arrived with a letter to the missionary, Mr. Rolland. I was accompanied by Mr. Vowe, O'Reilly, Commandant Snymans, and all the Field Cornets of the district of Caledon River, and many farmers met me at the station, but, owing to the non-arrival of Moshesh, nothing definite could be done. There is a strong opposition in his tribe to making a boundary; this opposition I consider to be headed by the missionary Rolland, who is the most cut-throat looking fellow for a missionary I ever came across. What this party wants is—that the Boers should hold their lands as subjects of Moshesh. Nehemiah says, when his father allowed the Boers to settle in this country, it was like giving a chair to a visitor to sit on, who is neither allowed to dispose of it or carry it away. I, of course, referred them to your Excellency's arrangement with Moshesh on the 7th January at Winburg, when Nehemiah was himself present, and told them that the new state of things dated from the proclamation. I wrote to Moshesh, stating that after every possible inquiry and a good deal of personal examination, I should recommend to your Excellency the best boundary, which I should, however, request you not to confirm until he should have had time to write you his views, impressing most strongly, however, on Nehemiah and Joshua that the question they must consider was, not whether or not there should be a boundary—but *what* boundary was the most proper to make. Moshesh himself is, I am convinced, most desirous of fulfilling to the utmost every one of his engagements; but there is a spirit at work in his tribe which he finds difficult to control, at the head of which I place Mr. Rolland; he is quite a different man from any of the others I have seen, but he is, however, the Chief of the French Society.

“All the missionaries, Rolland included, acknowledged that the natives are much more difficult to manage than they used to be, and that they are certainly not advancing in the scale of civilization at present. With the single exception of Rolland, the missionaries will be glad to see your Excellency's measures carried out, and both native and Boers kept within their proper boundaries.

“Rolland says the people of the Mission Schools of Beersheba—some 2000 souls—cannot live within the limits allotted, and



want to gain the Smithfield town lands on the west, to drive out all the Boers between him and Moshesh on the east, and extend to Koesbergen on the south—an extent of about 2500 square miles!—cutting out, I should say, at least a hundred farmers. What I have allotted him, or rather his station, is about 225 square miles—in my opinion quite sufficient for any missionary station.

\* \* \* \* \*

“In coming through the country I could not help being sometimes amused, though much vexed, to see how the Boers had been imposed on with regard to the provisions of the Burgher Force Bill. It had been instilled into them that they were to be soldiers for four years, all that time to be on duty at the outposts, drilled daily and dressed as soldiers, and that, of course, when they were there, if their services were required in Europe, they would be at once shipped off, etc.

“Your Excellency,

“Very faithfully,

“R. SOUTHEY.”

We find the copy of a long letter to Mr. Rolland acknowledging “letters written in a spirit and couched in language which cannot benefit the cause you advocate or the sacred calling to which you belong.” One letter from Mr. Southey, of 5th January, 1848, reports the transmission to the Military Secretary of £3378 12s.

“The seizure of Steenberg’s property was by my direction; he is a very bad character, and said he would shoot the Field Cornet if he came for the money.”

In a letter dated 19th January, 1849, Mr. Southey says—

“The Rev. Mr. Casalis is here, and I had a long conversation with him yesterday. He tells me that if your Excellency confirms the boundary as recommended by me between the district of Caledon River and Moshesh’s people, it will involve the removal of a good many natives from the direction of the Kaasbergen; at least 40 kraals, he says. I told him that such a result was certainly not intended by your Excellency.”

“ Government House, 14th December, 1848.

“ DEAR SOUTHEY,—I have received your *most sensible letter* of the 1st December from Piet Venter. You have done most sensibly. I can say nothing more; and I long to see you, but you must bring your wife, for I am contracted to her that you should do so. Lady S. and all unite in best regards and anxious hopes soon to see you. Tell William S. I have received his letter. The people are wrong in not applauding my Burgher Bill; however, if the old Commando system is preferred, what objection can I possibly have? My love to your wife.

“ Yours faithfully,

“ H. G. SMITH.”

In a letter from Robert Moffat, Junior, from the Sovereignty we are told—

“ There is a constant intercourse between this district and beyond, and lying is as prevalent as ever; personal scandalizing is still more so, and to leave matters in their present state will not do. Mr. Biddulph finds it difficult to rule this district as he wishes in the present circumstances, nor could any one else, be he ever so an adept. The country beyond the Vaal is a refuge for all evil-doers; one Boer has been actually stealing ten horses from the Maccatees here, and another Boer has committed almost as flagrant and villainous a theft from one of his Afrikander neighbours; but the rascals are beyond the Vaal.”

Mr. Southey had performed the difficult duties entrusted to him in the Sovereignty with such efficiency as to secure the high approval of the Governor—his good temper, tact, and admirable common sense being throughout conspicuous. He became not only a great favourite of Sir Harry Smith, but it was recognized that he deserved this position, because of his conspicuous ability as a public servant.

### CHAPTER III.

Affairs in the Cape Colony—Separation—Letters from Halse, Meurant, Bisset, Moffat, Shepstone, and others—John Montagu—The anti-convict agitation—Letters from Gollonton and Cook.

AFFAIRS in the Sovereignty being now settled on what seemed a firm basis, Sir Harry Smith was able to turn his attention more thoroughly to the questions that were becoming urgent in the Cape Colony, and more particularly to the fears of another Kaffir rising. Many of the old dwellers on the frontier, still smarting under their old losses, being anxious and inclined to despondency, required to be reassured and encouraged. A strong feeling was growing at Grahamstown and Port Elizabeth in favour of a separation of the Eastern from the Western Province, and as the Home Government would not entertain the question, there was unrest in the Eastern Districts. Last, but not least, the Home Government itself was adding to the Governor's difficulties by proposing to make the Cape a penal settlement, which united English and Dutch colonists in opposition to Her Majesty's representative.

The eastern portion of the Colony always engaged Mr. Southey's keen attention, and much of his correspondence was connected with it. Here is a strong letter from one of the frontier men ("poor Halse"), who had lost all his property in the war, and received no compensation. *Ex uno disce omnes.* He says—

"Ere you receive this I suppose you have heard of the outrage offered to us while engaged in the duties of Land Commission. You will yet find that I am not a mere alarmist or croaker. Am I to have any compensation, or shall I be compelled to apply to higher power, and be content with ruination

and contempt for loyalty and what I consider to be a discharge of my duty? If so, I will never do another day's duty in the way of shouldering arms, or, in fact, in any way. By heavens! this is too bad. If my case were brought before the public tribunal, what would be said of it? My household property, books, merchandise, all lost, and although I discovered the robber I was told I could not have a civil action against him, as it was done in the war, and compensation would in all probability be made by Sir Harry. My horses I supplied to Government lost or shot in Government service; two saddles and bridles supplied by me, and never returned; one gun ditto, ditto. Yet I may be called upon to act to-morrow, and if so I shall act, but if I learn that I am not to be compensated as Sir Harry promised, then I'll do no more. Excuse this; I cannot think of it without feeling annoyed.

“F. L. HALSE.”

Among the letters of 1848 is the following from Mr. L. H. Meurant, a very well-known man in his day as newspaper editor, magistrate, soldier, and legislator. He says—

“Grahamstown, 21st August, 1848.

“MY DEAR SOUTHEY,—I arrived here yesterday evening from a six months' cruise in British Kaffraria, and having visited almost every portion of that fine country I can speak from personal observation. I do think Sir Harry has withdrawn too many troops from Kaffraria, and it is running a fearful risk should the Kafirs take it into their heads to take advantage of the rupture with the Boers. Such risks should not be incurred, nor such a temptation to recommence their old tricks thrown in the way of the Kafirs. Further than this, I do not think there is anything to fear. It is not true that the Kafirs are starving. During the whole of my long ride, as far as the mouth of the Kei, I saw but two individuals that could be classed under that head. I believe the Kafirs in the Amatolas, in the rear of Fort Cox, are badly off, and some may be starving; but to speak generally, the Kafirs are right well off. Their cattle are fat, and there is abundance of milk everywhere. I do not, therefore, think there need be any fear of an outbreak, provided we have a reasonable force to keep them in awe.

“Faithfully yours,

“L. H. MEURANT.”

Mr. O'Reilly writes from Somerset on the 12th November, 1848—

“MY DEAR SOUTHEY,—It is my duty to tell you that there is a bad feeling and very general discontent amongst the Boers inside respecting the Burgher Force Ordinance, and firebrands, to urge them on, are, I fear, not wanting.

“Yours, etc.,

“J. O'REILLY.”

And now we shall refer to letters “writ in a more gentle vein.” There is a charming note from John T. Bisset, afterwards General Bisset and Governor of Gibraltar, in which he says—

“*Private and Confidential.*

“King William's Town, 16th April, 1848.

“MY DEAR SOUTHEY,—Congratulate me, my dear friend, on being a happy man. To you I make this candid confession. On Thursday I rode to town and offered my hand to a lady that has for some time possessed my heart. Do you say I have done right or wrong? The lady of my choice is Miss Morgan. I remained in town for a ball on Friday. Ask Mrs. Southey's services for the purchase of various things in Cape Town. Two locks of hair are to be sent. Don't say anything of my engagement as yet. I must write Lady Smith a letter, and ask her to approve.

“Yours ever faithfully,

“JOHN T. BISSET.”

An interesting and characteristic letter from Sir John Wylde, Chief Justice of the Cape Colony (brother of Lord Truro, Lord Chancellor of England)—

“Supreme Court Chambers, Thursday, 24th August, 1848.

“MY DEAR SIR,—I beg heartily to thank you for the kind thought of me in the now two communications I have been favoured with at your hands; for a journey such as your late one, in such weather and over such a country, is a trial of the constitution and its strength, and the delay, with all its hazards, which might have been thus occasioned was of serious import. Arrival and presence at your present post will, perhaps, have

lightened rather than aggravated the pressure of solicitude on your own part. Uncertainty as to the state of things no longer spreads its misty, superstitious influence around you, and you have in decisive view the conflict to be encountered and provided against, and for such resistance as may be prepared for the approaching collision; nay, perhaps, before this may reach you, already in occurrence. Yet I can scarcely persuade myself that they will await it at the river—the hazard of retreat will place them in such jeopardy if the attempt be strong as to numbers; and if otherwise, it must prove futile, and only serve as a demonstration of determined hostility, and more, perhaps, for its effect on the resident Boers (as to compulsory union with the rebels) than upon Her Majesty's force in array against them. I rejoice to hear of our excellent Governor's health. I long to write to him under the feelings I entertain towards him, but will not indulge them when, in their personal nature only, they might be deemed too insignificant to be intruded upon him at such a time and crisis. No one, I hope, more fervently or sincerely can join in the frequent prayer to Heaven for the continued preservation of him from all harm and mishap. The thought will sometimes annoy me lest any one or more foolhardy rebel Boers might, in ambuscade, aim at his life from the distance their "roers" carry, though certain in the act to lose their own lives, perhaps on the spot. No "Hintza" horse, I hope, will force the General on beyond the advance which may leave secure all that belongs to, and can be found in, the peculiar energy, foresight, and experience of the hero of so many battles. One cannot for a moment contemplate the loss of his services in this public emergency without trembling from head to foot at the disastrous consequence to public interests, and because of the intense grief of any casualty befalling such a friend and real Christian. May God Almighty avert all evil from one who risks his all in life for the peace and welfare of those committed to his care and protection! Let me whisper, too, that secretaries are to keep their places, and not mistake guns for quills. You are not now a Southey for the field, but for the Cabinet, and do not be mistaking your place, I pray you. You will see in the newspapers what a proclamation they have fathered upon Pretorius as to, and for, the apprehension of Sir Harry. It must be a hoax.

"Yours very truly,

"JNO. WYLDE."

Captain Holdich says, in a letter dated Government House, 9th November, 1848—

“MY DEAR SOUTHEY,—You have been so successful in your expedition that frontier news is now little sought for, and people only wonder how you contrived to squeeze so much out of the Boers. Separate Government agitation is divided, and each member seems ever to hold a different opinion. The Council has been opened by one of Sir Harry’s best speeches—all admire it. Did you see Hendrik’s speech? He astonished all, and made a most capital address. There have been several arrivals lately from England. Ireland gradually subsiding, and the army there being broken up, but they are going to send the rebels to the Cape of Good Hope. What think you of that? On your return, perhaps, you may have the pleasure of meeting Smith O’Brien or some other noted rebel from Ireland. We have hitherto been full of company at Westbrook. The Menzies are now staying, and the Judge obliged to be at breakfast at half-past 8 o’clock, at which he has hitherto been tolerably punctual. The Admiral expects his relief every day. I cannot think of any important news to tell you.

“Believe me, sincerely yours,

“HOLDICH.”

Another member of the staff writes—

“Capetown, 23rd November.

“His Excellency made me remark (in official letter about forage to a Civil Commissioner) his Secretary to High<sup>c</sup> Commissioner could be of little use unless mounted. He goes on to say, ‘I congratulate you, with all my heart, on having so well finished your task with flying colours, and are anchored safely amongst your family. You will have heard of Somerset, Cloete, and Mackinnon being appointed C.B.’s for the Kafir war—unjust to Somerset, height of luck to Mackinnon.’

“No news here. I dare say Westbrook party give you all the news of their quarters. Governor, her Ladyship, Garvoek, and Holdich going to Mosterd’s Hock next week. Mrs. Meynell is much obliged for your kind inquiries after her and the baby, but she is improved vastly.

“Yours, etc.

“H. N. MACDONNELL.”

The following letters are selected for publication. From the gossiping epistle indited by Sir Harry Smith's nephew it has been necessary to omit a considerable portion.

“ Bloem Spruit, Vaal River District, January, 1849.

“ MY DEAR SIR,—I have just been gratified with a large post, enclosing a letter from you. The communication for Potgieter shall be forwarded without delay. Government has certainly made a very great concession to the feelings of the disaffected Boers ; how it may act I cannot surmise, though I am inclined to fear they will abuse the privilege. They have already begun their tricks among the westward Aborigines, and from what Dr. Robertson told me, and what I have since heard from some Natal traders, they have interfered with the missionary operations among the Bechuanas, by expelling Dr. Livingstone from his sphere of labour, and by this post I have a letter from my mother, thus worded : ‘ We hear nothing from the interior ; we fear some mistake has occurred. Livingstone let Griquas pass without writing. The Rev. Mr. Inglis's waggon has been here a fortnight, by which we learn that five waggon-loads of Boers, wives, and children had been sent thither. They came to Mr. Inglis and asked him for farms ; he told them they were not his to give, they must go to the Chief ; they did not choose to do this, but set themselves down. We cannot but have gloomy forebodings, and stand prepared for the disappointment of our hopes and frustration of plans for the evangelization of the heathen in those regions ; but for our comfort as missionaries we remember that “ The Lord reigns.” It remains a mystery why those Boers were allowed to get possession of the interior, and seems now more than ever likely to impede the progress of the gospel. The Boers are instilling into the minds of the natives jealous notions against the English Government. They came one Sabbath day to request of Gasiboni, a chief, to join the commando ; and this, after much persuasion, he told them that he could not do it without seeking advice of their missionary. On hearing this the Boers rode off. The Bechuanas to the east are getting jealous of the English. The Boers and disaffected Griquas put these notions into their heads. We saw a letter from a Boer Field Cornet to Gasiboni, trying to get him on their side (date 25th November). I hear nothing from Livingstone



or my father on these matters, but I have not a little information from traders and others. The Hollander, they say, is the great cause of this working against Missions. I wish His Excellency would appoint a Commission to inquire into these matters, and to define a boundary between whites and blacks. The Boers are meditating a great commando against the N. Western tribes in the course of 6 months or so—of this all traders assure me.'

“My mother informs me in a previous letter that Cumming (hunter) has been killed by the natives, but she believes others have done it, as reports were abounding that they were chasing him. One trader tells me that he is almost confident that the Boers are the perpetrators of the foul deed. What next may we not expect? I once showed His Excellency documents showing the seeds of all these evils, but he accounted my representations as ‘missionary blarney.’ I feel rather disposed to try what the public may think of the matter, but I shall first wait to see the turn of matters. As a private individual, I am acting on the ‘broad principles,’ which His Excellency, as an experienced Governor, recommended to me—‘not of acting wholly on the side of the blacks, but impartially seeking the happiness of every man, white or coloured, as man.’ I have done all I can to show to the Boers my interest in their welfare, and I am told by a trader named H. Seetsman that they all speak of me with affection and respect—a thing at which I am astonished, as I have shown them that I respect the black man as well as the white in our interview with some Maccatees scattered here. But born, as I was, among those Bechuanas north of the Vaal, I will not sit still to see them extirpated by a parcel of disaffected men. If my lot is for a time to be cast amongst these Boers, they shall gain by it, for having friends in Holland, as far as a church is concerned, I could get not a few subscriptions; and with regard to schools, I am prepared to enter into a negotiation with the British and Foreign School Society on the subject (among its supporters I have many friends), for I am convinced that all the Boers want is a church, education, a market, and public news of the Colony, and their minds kept in a state of activity on all matters.

“Should a Commission ever be appointed to adjust the lands between the trekking Boers and the Aborigines, Kruger would, from all I hear of him, be of some influence as one of the members.

It would be a pity to put any missionary on it. I am prepared to recommend a translator in Bechuana. Unless such a Commission is formed, there will be no peace. Potgieter has burnt his hundreds in a cave (Boers tell me this, so it cannot be 'blarney'); and Commandant Engel and his followers, all disciples of the monster Potgieter, have murdered their thousands. Moshesh, Morroko, etc., live in the mountains within the Colony; but over this district are scattered many Bechuanas (called Maccatees), but who are Bakhatlas, who are the remnants of tribes wholly or half extirpated at the Mongua. They are afraid to return, and, of course, as afraid to go under Moshesh. I wrote Major Warden about them, as the Boers are complaining of trespass. He answers: 'The small kraals to which you allude will be found, no doubt, inconvenient to the farmers, and something must be done ere long to get rid of such; but until other lands could be found to locate those Kafirs upon they cannot be removed.' Their removal could be arranged as one of the duties of such a Commission; otherwise I do not know what Major Warden, kind and impartial as he is, can contrive for them.

"Excuse my enlarging on other matters, but I hope the nature of them will be a sufficient apology for their mention. I am not writing officially, but privately. We have finished 110 farms, to the satisfaction of every man; and now that we are about to go another round, we hear that it will be of no use, as the people are trekking. I am told that there are many people in these districts, Winburg Vaal River, who are only waiting to get their land certificates in order to trek. You will ask what is the cause of this? Bester, who is naturally chagrined at not receiving posts and courants, and every now and then threatening to give up his situation, says it is because Government will not send him any news. A host of abominable lies are in circulation that 'all Boers are to serve on land and sea as soldiers; that Sir Harry is coming up with 3000 troops;' and what's more, Mr. Young, a Natal trader just passed, says that they are actually telling at Mooi River that Sir Harry has cut his throat. They are most credulous. John Dreyer, who is trekking (not the Veld Korneet), says that one reason for trekking is that the Governor is dead. All, of course, flock to Bester to ask him. He and I do all we can to show that these

are lies, but all is vain. One says Biddulph got a note, another that a man from Modder River says so, and so on. Bester asks *what can he do?* He says that it is not his intention to put up with it any longer. If you want him to act, send him courants.

“I have here told you public feeling, and all I can say is, it is so. That many will trek, I am confident. To prevent this, I beg to say, plainly and boldly, an experienced Magistrate from the Cape must be sent here—a man knowing the Dutch well, and an Africander in spirit—a Dorp instantly planned, etc. At present the Landdrost lies in a ‘Rondavel’ of reeds and mud. He is ever and anon grumbling about salary—about the Governor pressing him ‘to take the office, and see how he serves him.’ This is the everyday song. Even though you may have no canteen here, there will always be a whisky-bottle under the desk—or broeders niefs and ooms—now and then partaking till the crown becomes a little heated; and then the Africander’s songs will sound through the *regterhuis*, and thoughts of independence, etc., arise. But let them have a Magistrate who can read the law of the land, and can humour the Boers, now and then giving them a vrolykheid, and gain their respect—this done, he can effect a lasting submission to the Colonial Government.

“I hear some talk of this district being patched on to Winburg. There Biddulph is not popular, and never will be as long as he keeps a concubine. I hear some of his Dorp people are about to leave—he is so independent, and ‘permantig’ in his doings—so you will imagine the evils which will result from this being joined to that district. But I cannot credit it. This district can, if matters are arranged properly, support a Magistrate, church, and schools. True, there are only about 150 families in it, but there are also 150 other cultivated farms, whose owners have trekked—for some of these there are applicants—and there is room for 700 new farms, I feel confident, from the size of the district, etc. All the Boers tell me that this district can well contain 1000 farms, which would soon get tenants if there were a Dorp and a market.

“I enclose a sketch of the district, which will show you a new locality where the people are anxious to make a Dorp instead of at Marmwek’s (and besides, he talks of mounting in his price). I have made all the inquiries I can about the good site. The people of the tribe Bergen say that even were that

place Marmwek's to become a Dorp, they would never frequent it, but go to Pietermaritzburg as a market. For the sake of the community this would be undesirable.

“They are all anxious, and very so, to have a Dorp established at Eland's River, where the great road intersects it. This place was intended by the Boers for a Dorp originally, and it has every appearance of being almost as good as what I hear of Mooi River, which they say it is very much like as to water. You will know it, I think, on the great road from Winburg to Pietermaritzburg. All say that it is sure to become a Stadt, and that 200 water erven are easily laid down. Even traders are pleased at the prospect, on account of its grand central position. It lies in the north-western loop of the Drakensbergen, and is 29 hours (160 miles) north-west of Pietermaritzburg; and north from the site to Potchefstroom is again 29 hours, and from the site to Winburg 20 hours (110 miles). Marmwek's the same distance, where a Dorp could well eventually be laid. Mr. Young, of Natal, says that traders and others in that district will, without hesitation, buy some 100 or 150 erven. You are aware of the badness of the road from Pietermaritzburg over the Drakensbergen.

“When farmers know that a colony is established at Eland's River they will readily avoid that distance; and I think such a Dorp, such a ‘Middlepunt’ promises to become a large one, as, of course, Winburg (and Mooi River) and this district will be dependent on it. Such an establishment will also have the effect of dissuading many from trekking further, and tempt many to return. Many traders tell me that there are not a few beyond the Vaal desirous of returning, only they say the “oath” is their objection, otherwise they will willingly pay the tribute. The only objection to the locality of the new site is, that it is 45 hours from the other extreme end of the district; but even these farmers say that the value of that central position as a good market is a sufficient palliate of any discontent that might arise on that point. The site will be also good for the arrangement of a post; horses do not trek there (Liebenberg's Vley is 4 hours from it towards Winburg). The people will not hear of Mar-ninks now. If you should approve of it, and like to submit it to His Excellency's will, the work of the Commission will be done here in about a month, and it would not be an unfavourable opportunity for me to lay it out. I am only waiting orders for

that. A good name would, I think, be 'Elandstroom,' but of course you will appoint one. Bester says he mentioned the subject of a Dorp to Sir Harry Smith. I did to Major Warden, but he speaks nothing of it. I wrote officially to him on the point, but as you had taken in hand the subject of a Dorp, I thought it as well to let you make your own subsequent inquiries. I thank you for the promise you gave me of being allowed to come to Cape Town in June. I hope His Excellency will permit it. All desire their kindest regards and compliments to Mrs. Southey.

"I remain, yours respectfully,

"ROBERT MOFFATT, JNR.

"You will excuse me as Surveyor, perhaps, writing on matters not concerning my situation, but there is no-one else here to watch the interests of the Colony, and there ought to be."

"January 13th.

"Bester, on coming home yesterday, and finding not one letter or courant for him (though I showed him your note and Major Warden's to the Commission), was so enraged that he several times threatened to trek to his farm up Sand River, and even not to forward Potgieter's letter, so you may imagine his feelings. He went yesterday to Van Vürens, for what object I don't know, but he took care not to tell me. He returned with a host of new lying reports in his pockets. I learn that when done here I shall have to go to Winburg. What may go on socially here unwatched I do not know (this is, of course, private). I think courants \* would put things all to rights."

The interesting letter from the Rev. John Ayliff, Wesleyan Missionary, subjoined, is dated "Lesseyton-under-the-Hanglip, Tambookieland, 7th June, 1849."

He speaks of his son William (afterwards Hon. William Ayliff) being "on the point of taking Godlonton's step-daughter to wife," and of his eligibility for the situation of Superintendent of Natives, and then goes on to say—

"I will make a few remarks on the present state of this and the lower frontier (I mean the Tambookie frontier), and that of

\* Newspapers.

the Gaika and Slambi Kafirs. In a word, I must say that the present season is of unknown tranquillity, such as we have not known since the close of 1836. We had 10 years of great distress and commotion from constant *murder and plunder.*"

He proceeds to say that "Hintza's tribe wants to get out of the reach of British justice."

"The present plan of making the natives of the Colony pay an annual rent is most judicious. Eight years ago I commenced it on the Herslof Hill Station. I find the people in Fort Beaufort quite willing and able to pay. It is perfectly absurd that Hermanus should have an exemption. My opinion is that if a native cannot pay his rent, he has no business anywhere but in service.

"Since I have been here I have heard that the Fingoes carry on a regular trade with the distant parts of Kaffraria *via* Tambookieland. I heard to-day that yesterday only three Fingoes were offering gunpowder for sale amongst the Tambookies."

One of the members of the Land Commission (Mr. Vowe) writes from—

"Smithfield, 3rd July, 1849.

"I suspect the natives have European advisers, as they are most troublesome in the vicinity of Beersheba and the centre of the district, and I should not be surprised that Rolland and our friend Hoffman are much to blame in endeavouring to incite the natives against the British Government, and if what I have heard could be proved I suspect Mr. R. would get into a serious scrape. Mr. Rolland claimed Davy's farm as his private property on the grounds that Davy was placed there by him in 1837 as his servant, and had been in his service ever since, which Mr. R. failed to prove. I consider this case a most disgraceful one on the part of Mr. Rolland, and the Commission decided the case in favour of Davy; since which, you will see that the natives at Beersheba have ordered Davy to appear before them for selling the farm, stating that the farm belongs to Mr. Rolland, and Davy had no right to sell it. I suspect that Mr. Rolland is at the bottom of this."

“ *Private.* ”

“ Pietermaritzburg, 2nd October, 1849.

“ MY DEAR SOUTHEY,—Since the unfortunate death of poor Mr. West we have had meetings and memorials without end ; indeed, the people seem to have adopted the idea that the manufacturing of a ruler was entirely in their hands, so much so that all our feelings of ambition have been aroused, and there are candidates for the Lieutenant-Governorship without end. I am, however, one of those who believe more or less in the decrees of fate in such matters, and have not distressed myself about it except to think that I, even I, might make as good a Lieutenant-Governor as some who are really trying hard for it ; but, joking apart, the excitement raised by these proceedings has been very unfortunate, and been a cause of much bad blood.

“ I have been most distressed to hear of poor Harry’s \* illness, aggravated as it must have been very much by that rascally Convict Question. Of all questions that have agitated people in the Colony, always excepting Godlonton’s stereotyped articles about the war of 1835, I am most tired of this one. There is nothing in the papers from beginning to end but about convicts, and the subject at best is a very disgusting one

“ I have been engaged turning natives out of the Klip River Division, and was obliged at last to use force, and did the business thoroughly while I was about it. It has taken me five weeks, and I am happy to say only five men lost their lives—not one on my side. Most of the Dutch Boers are leaving the lower part of Natal, and I think that the result will be that the Klip River Division only will be occupied by Dutch. That is their favourite part of the country ; it suits their habits and tastes. There they would be together at least for some years to come, after which the great boundary between the English and the Dutch will be the Drakensbergen.

“ Pray tell me what your anti-convict people are aiming at. We, at a distance, look at their proceedings with astonishment, and view it to be very different from their professions. What, for instance, has Mr. Cock’s, or any one else’s seat in the Cape Town Council got to do with the convict question ? I look upon little Cock as a trump, and hope Her Majesty will make

\* Sir Harry Smith.

a Baronet of him for his pluck, and of me for proposing it to you; but seriously, ought they not to assume the title of Anti-Government instead of what they have? for you may depend upon it, even if it is not their object to subvert the Government, it is the end of the path they are travelling.

“Your ever faithful friend,

“SOMTSEU” (THEOPHILUS SHEPSTONE).

“Westbrooke, 12th October.

“MY DEAR SOUTHEY,—A little of the scandal of Cape Town would probably not be disagreeable during your reign of Governor to con over after the arduous duties of the day.

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“Bouchier has arrived, and Miss Pillans is charming. Of course, the day is not yet fixed. Just fancy, my dear Southey, here I have been ever since you left, the only gentleman in the house, amongst four, five, and sometimes six ladies. Mrs. Sutherland, Hall’s intended, is rather good-looking—looks wholesome. Her father was a West Indian planter, and her late husband a West Indian merchant. Old Hall is no fool. We have great fun joking her about ‘dear John,’ as Mrs. Anson calls him; she is such a nice thing, and as lively as a trout. You will, perhaps, be surprised to hear that Miss Rivers and myself ride out together alone. We ride out nearly every day, and sometimes pay visits—or, as Miss Rivers terms it in Dutch, ‘Huvelyk bekant maak.’ Can you understand it? Yesterday Cloete (the Colonel) had a letter from George Napier, saying that they were all to be rewarded for the Caffre business. Cloete is in great feather in consequence. The *Tudor* has arrived. The Turners are going at last. Poor Bower will be left alone; they were thicker than thieves. You must not forget us all down here.

“Yours faithfully,

“H. S. SMITH”

(Sir Harry Smith’s nephew).

To those interested in the country beyond the Orange River, the following letter will appeal:—



“ Bloemfontein, 9th July, 1849.

“ MY DEAR SOUTHEY,—

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“ Bloemfontein is growing fast into a town, and will be a very pretty place, and the country is improving. Boers have trekked away from this part of the world since you were here; but others, or English, are taking their place. We had a patrol to Sikongela’s country the other day, which, I fear, was not very effectual for the object intended. It is now said that the Basutos are preparing for war; but I cannot but think that Moshesh has still power enough over his sons and people to prevent the occurrence of such a calamity. I should regret such a thing much, chiefly because it would so immensely injure the prosperity of the Sovereignty, in which I take a lively interest, but also because it would effectually ruin Moshesh, for whom I have always had a warm regard. I fear his sons are too much for him, and may drive him to extremities to which he himself would never resort.

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“ Warden has given Moroko one hundred square miles of country *more than your boundary gave him*, so you may guess how I fared in that quarter. I hear Bingham is sending a Memorial on the subject by this post. Stuart has been my guest since his arrival. He seems a thorough man of business—active, strictly just, and determined. When he becomes a little better acquainted with the language and people, he will, I think, be highly useful in giving form to the sort of chaos that is only now beginning to disappear. I am sorry to remark that Warden does not seem to treat him with that confidence which, I think, he deserves, and which is highly necessary between public men. You must remember the feeling Warden had towards yourself—this he seems to have transferred to Stuart. I dare say he does not like to see business done in a way he has not been accustomed to, as well, perhaps, as that matters which he formerly exercised authority over are now in the hands of another, though this transfer only makes his position the higher. I do not think Warden, on the whole, likes his position, as business now begins to be felt a little heavy by him. As I have often told him, ‘the palmy days of the Residency are gone,’ and

I should not at all be surprised to see him resign some fine day.  
I know he would be much happier in retirement.

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“ Faithfully yours,  
“ A. J. FRASER.”

We have now arrived at a period in Mr. Southey's biography when we must refer to Mr. John Montagu, one of the most distinguished men ever connected with British civil administration in Southern Africa. Descended from a noble family, and the son of Lieut.-Colonel Montagu of the Royal Artillery, who was killed at the siege of Seringapatam, young Montagu may be said to have been born in the purple, and to have had all the advantages of education and of patronage at his disposal. He soon proved himself to be worthy of confidence, first in the Army, and subsequently as Colonial Secretary in Van Diemen's Land. There a dispute with Governor Sir John Franklin resulted in his arrival in England early in 1842, and his acceptance shortly afterwards of the Secretaryship to the Government at the Cape of Good Hope. Here he instituted a new system of finance, showed the urgent necessity of immigration, ably co-operated with the British general in the war of 1846-47, reformed the convict department, and was the means of creating excellent roads over the Cape flats, and over almost inaccessible mountain passes. Dean Newman, his biographer, tells us that the two great points of John Montagu's system were practical usefulness and moral improvement. In the frequent and long-continued absence of military governors on the frontier, Mr. Montagu ably controlled the civil administration; and this fact must be remembered in connection with the subsequent suspension of Mr. Southey for carrying out his instructions.\*

In the mean time we must advert to the Anti-Convict

\* For full details of the life of John Montagu an excellent biography can be consulted, “Memoir of John Montagu,” by W. A. Newman, M.A. London, 1855.

Agitation, where no doubt Mr. Southey acted more as an adviser than as a partisan. Sir Harry Smith had not long returned from the Orange River Sovereignty, when a despatch was received from the Secretary of State dated 19th March, 1849, stating that "ticket-of-leave men" were to be sent out who were to be free to work on their own account, but must reside within prescribed districts. This was done under an Act of Parliament (5 Geo. IV.) empowering the Sovereign, with the advice of the Privy Council, to appoint any Colony for the reception of convicts sentenced to banishment beyond the seas. Both Sir Peregrine Maitland and Sir Harry Smith were in favour of advantageously employing convicts on public works, and the Colonial Minister, unfolding the plan of Her Majesty's Government, pointed out with what eagerness convicts on probation were engaged for service by resident proprietors at Port Philip in Australia. Indeed, it was as a favour that the Cape was included among the Colonies to which this class of people might be sent.

It must, however, be admitted that the nature of the Colony, as well as the habits of the Colonists, rendered it an unfit country for the introduction of men versed in, and convicted of, felonious pursuits. Far separated homesteads, a sparse population, primitive habits, half-civilized coloured people, seemed, as it were, to open doors of opportunity. An instantaneous panic was the result. Dean Newman tells us that the Colony, quiet and unruffled as its own Table Bay in a summer calm, immediately on the spreading of a rumour that it was even thought of as a penal settlement, became like that same bay when a strong and sudden south-east wind swept down upon it. Committees of Vigilance and Defence were speedily formed. Petitions, memorials, and private representations poured in. Resolutions were carried at public meetings and at synods of religious bodies, while strong adverse opinions, expressed not only in Cape Town, but in various towns within the Colony, were forwarded

to the Home Government through Sir Harry Smith the Governor.

The dreaded *Neptune*, with the dreaded ticket-of-leave men, arrived in Simonstown on 19th September, 1849. So great had been the pressure brought to bear upon the Governor, that His Excellency refused to accept the consignment of the vessel, and directed that the entire charge of the ship should devolve on the Naval Authorities.

The Executive Council approved of Sir Harry Smith's measures, and agreed with him in thinking that to dismiss the *Neptune*, or change her destination, was beyond the limits of his authority.

The most extreme measures had been taken by the Anti-Convict Association, but as His Excellency gave a pledge that he would resign his office rather than assist in carrying out any designs for landing the convicts, a great disposition was shown to withdraw the interdict against supplying the Navy with provisions. Hitherto the Dutch and British Colonists had acted together, but now a breach took place between them—the former even caused operations to be extended by including not only the Navy but the whole body of the Executive and Judicial agents of the Government in their interdict. Feeling ran exceedingly high, and, considering that the Home Government meant well, and that the Governor was doing all in his power to prevent convicts being landed, it is difficult to excuse the extreme ferocity which characterized the latter stages of the movement. Although Mr. Montagu held from the first that the Colony was not adapted for the reception of ticket-of-leave convicts, he considered that the 300 convicts should have been landed and placed in the Amsterdam Battery until the decision of the Imperial Government could be received. These were the days of loyalty and of implicit obedience. On the occasion of replying to one Anti-Convict deputation, Sir Harry Smith said—

“This is the anniversary of the battle of Waterloo. For four-and-forty years I have served my Sovereign. I say it with pride; and I would rather that God Almighty should strike me dead than disobey the orders of Her Majesty’s Government, and thereby commit an act of open rebellion.”

When the Secretary of State for the Colonies became acquainted with the subject, he changed the destination of the *Neptune* to Van Diemens Land (Tasmania), as might have been anticipated. He had been certainly under the impression that he was bestowing a favour, and when those upon whom he desired to confer a benefit declined to accept it, there was no attempt whatever made to press it upon them. Mr. Southey, of course, took no active part in the agitation, but there is little doubt that he sincerely sympathized with Sir Harry Smith, and assisted him with his advice.

As illustrative of the politics of these days, and interesting in themselves, we publish the following extracts from letters written by Mr. Godlonton, Mr. Cock, and Mr. Ziervogel. The two former gentlemen were for many years Members of the Legislative Council of the Cape Colony, and the last-mentioned became a distinguished Member of the House of Assembly. The name of Mr. Godlonton is inseparably connected with that of the *Grahamstown Journal* and the Newspaper Press, while Mr. Cock was the first and greatest advocate of the claims of the Kowie River mouth (Port Alfred) to be made one of the principal ports of South Africa.

Mr. I. R. Ziervogel, writing to Mr. A. P. Rubidge (Graaffreinet, 23rd July, 1849)—

“With regard to your animadversions upon the conduct of the Colonists generally, which you seem to construe as intended to be offensive to Sir Harry Smith personally, I must observe that they do not appear to be necessarily called for by, and cannot apply to, anything you heard from me; they certainly are

not called for by, and cannot apply to, the resignation of myself and the other Justices of the Peace with whom I joined in that act, as the letter containing our resignations, and of which I sent you a sketch, explicitly and simply states that we resign because we are sensible of the injury done to the Colony by its being made a penal settlement under the order of the Queen in Council, and feel that under the circumstances we can no longer hold the appointment with any satisfaction to ourselves or advantage to the public, without containing a single reflection upon Sir Harry Smith, even as Governor.

“But in order that what I thus say may not be misunderstood, I will add that, though in common with others I expected much good to result to the Colony from Sir Harry Smith’s appointment as its Governor, and though few people can more heartily than myself have wished him well, I do not admit that the most grievous wrong which the Government can do to the Colony, if but done by or through his agency, is therefore not to be opposed or resisted, lest any act tending to evince such opposition or resistance should be held to be offensive to him personally.”

“Grahamstown, 20th February, 1849.

“MY DEAR SOUTHEY,—

\* \* \* \* \*

“I am gratified that you saw my scribble to Sir Harry, to whom I wrote very frankly. And when I told him I was jealous of my own personal feelings when treating of his policy, I merely stated a fact which I had continually made abundantly manifest. As a sample in point, I enclose for your amusement a testy epistle from Rice Smith of Sidbury [telling him to stop his paper, as he was no admirer of Sir Harry Smith], who had a good deal of influence in that neighbourhood. But none of these things move me. In stating my sentiments I do not affect disguise, and I would sooner find myself shorn of every means of support I possess than sacrifice to clamour one single iota of the conscientious convictions of my own mind.

\* \* \* \* \*

“Yours, etc.

“R. GODLONTON.”

“Grahamstown, 17th April, 1849.

“MY DEAR SOUTHEY,—I have your favour of the 11th instant, and in reply may remark that I have looked with considerable attention through the Masters and Servants Blue Book. My convictions do not accord with yours on the subject of vagrancy. I do not see any insuperable difficulty in the way of an enactment on the subject, and am persuaded it would be attended with infinite advantage to the whole Colony, and more especially to the coloured classes. At the same time I would not trust the Dutch, nor many of the English, further than one can see them. The evidence contained in the Blue Book in favour of a vagrant law is quite overwhelming.

“We had a meeting yesterday in the Court House on the subject of the expected exiles. There was a good attendance; and among others Advocates Ebdon and Watermeyer, and some other visitors from Cape Town. The meeting was unanimous, and the resolutions, out of which I knocked two or three strong adjectives, go down to Sir Harry to-day. I was entrusted with the second resolution, the most pithy of the lot, and had to abuse Lord Grey to the best of my poor ability, which was, *of course*, received ‘with the greatest applause.’ Cock would not come forward at first, screening himself behind his Legislator’s mantle; but at length he got ‘wrathy,’ and fired away with the best of us.

“In Compensation Claims (for losses in war) Committee I may assure you I do not spare myself. The worst of it is the confinement almost knocks me up. I rise at daylight, write till breakfast, attend the market; from there to my office, scribble for an hour for the journal; then to the Board, where I sit, without moving from my chair, for six hours; home to dinner; back to my office, and write till ten. This routine, day after day and week after week, gets tiresome, and affects the health and spirits materially. We are obliged to discontinue our sittings for the present on account of the Circuit Court, but shall resume directly the Judge takes his departure.

“R. GODLONTON.”

“Grahamstown, 10th July, 1849.

“MY DEAR SOUTHEY,—I quite agree in your remarks about Sir Harry, and cannot help thinking that the Cape Town people

have taken leave of their senses. The people here are mad enough, but not quite so frenzied as the Capeites. I enclose you a couple of 'Supplements,' by which you will see that the Governor was treated more fairly here than by the people of your city. I had not designed to take any part in the proceedings, but I was moved from my purpose when I found that Jarvis referred to Sir Harry, and I at once seconded him by stating my own convictions on the subject. This and my publication of Porter's speech has given a turn to public opinion here; even old James Temlett, a bit of a Radical, but an independent man, telling me after the meeting, 'Well, you know, I was never a great admirer of Sir Harry—I never liked his noise and nonsense; but he never stood so high in my estimation as he does at this moment. I think his conduct in this Convict business has been most straightforward and honourable.' I quote this because it is the opinion of a man of plain manners, and who is held in repute for his general good sense and strong natural understanding. Mr. Clough, whose name you will see in the proceedings, and who is a man of similar character, holds the same opinion on the subject.

"Blaine, Franklin, and others, wished to push the matter against Sir Harry; but they found it would not do, and preserved silence on the subject. You will, I think, be amused by the attack on me. I rather shook the nerves of my assailant, and trampled out his opposition in a moment. In my report I have treated the subject softly, as it was not an object with us to keep up any acerbity of feeling, and especially as, after the meeting, the party came to me and apologized for his foolish conduct. I must look into the matter of the discretion exercised by Governors Fitzroy and Dennison. I do not think the case of Sir Harry at all analogous to theirs.

"I did not tell you, I think, that I received a week or two ago a letter from our good old Governor, Sir Benjamin D'Urban, dated from Lower Canada, 20th February, in which he pronounces Stockenström's attack upon him 'Calumnies alike unfounded and malignant.' I transcribe a part of the letter, as I think that it will gratify you, and especially as any thanks given to me are in part your own. It is as follows:—

"'You are, I trust, convinced how deeply I must feel obliged to you for the disinterested and powerful defence which you



have made for me in my absence against calumnies as unfounded as malignant, which, although I could fain flatter myself they could have made no impression upon those to whom I was known publicly or privately, in South Africa might have carried perhaps the opinions of those who knew me not. If I have been delivered from this misfortune, I owe it to your gratuitous protection, which, when I read the *conclusive* and unanswered exposition in your supplement of 19th August last, I cannot doubt will have amply succeeded in its generous purpose, and which, be well assured, I can never cease to bear in mind and be grateful for.—Yours, etc., B. D'URBAN.'

“R. GODLONTON.”

“Grahamstown, 21st July, 1849.

“MY DEAR SOUTHEY,—

\* \* \* \* \*

“Yours of the 16th has reached me safely, but your enclosure I thought best to reserve for future use, as also the one per previous post. I have also seen a letter of Cock's to his son, and am glad to find that he maintains his position firmly. For myself, I cannot sufficiently explain to you my own indignation at the disgraceful proceedings in Cape Town, and would not give them countenance even to save my existence. I have thrown together a few hasty remarks, which you will find in my postscript of to-day's *Journal*, and which give my views pretty distinctly upon the entire question. Give my most respectful compliments to Sir Harry, with my assurance that no power on earth shall induce me to view his conduct save in what I consider to be the full light of truth and honesty. Of course, I expect to come in for a share of abuse, and to be subjected to loss and inconvenience; but this consideration does not move me, so long as I am sustained by a conviction of right and a sense of having discharged my duty fearlessly and independently.

“R. GODLONTON.”

“Grahamstown, 21st September, 1849.

“MY DEAR SIR,—

\* \* \* \* \*

“I am glad to learn that Mr. Porter is interesting himself respecting the land for compensation to the sufferers by the late Kafir Wars. I trust the Board will be able to make its

Report shortly. The business of the Board has fallen very heavily on Godlonton and myself. I am most anxious that the spirit of His Excellency's minute on compensation should be carried out. I am well assured that there are those who would be glad to have an opportunity to say that His Excellency was not sincere in the sentiments expressed in the minute. That the Stockenström party will do all the mischief they can I have not the least doubt, but they are neither numerous nor influential. The address to the Governor will be numerously signed; there is not one farmer in fifty on the frontier but is a strenuous advocate of the Governor's measures. Stockenström appears to have availed himself of the excitement arising out of the Convict question to serve his malignant feelings. But it will not do here; the people know better; experience tells them that it is for their interests that the present system should be persevered in. With a continuance of the present tranquility as regards Kafirs and a port on our coast, then Albany will go ahead in a manner which will astonish the other end of the Colony. *We have an extensive field for enterprise, and men bold and persevering for opening up the resources of the country.* Let this end of the country but obtain *its fair proportion of aid* from the local Government, and it must and will prosper (not that I am judging from the past, or sanguine on this point). I am persuaded that, had there been an independent Lieut.-Governor on this frontier—a man interested in the prosperity of the country—matters would be very different with us. I believe Sir H. Smith entertains the best feelings towards the frontier inhabitants, and would rejoice in their prosperity; but I, at the same time, think that if his residence were on the Frontier, he would be the more frequently reminded of our wants, and stimulated to do more for us than he will do residing at a distance of 600 miles. The interest of this Frontier has been without doubt seriously neglected. Everything has been done for the other end of the Colony. 'Hope deferred maketh a man sick.' Nearly thirty years have passed away since the settlement was first formed—towns and villages have sprung up as if by magic. When does the Governor propose to visit Grahamstown? Has any arrangement been made for Selwyn Castle?

"Yours truly,  
"W. COCK."

## CHAPTER IV.

Mr. Bailey on the convict question—Mr. Godlonton's letters—Sir H. Smith—  
Southey Civil Commissioner of Swellendam—The war of 1850-2.

THOSE who know the position Mr. T. B. Bailey held in the Colony as a leading farmer and politician will see the desirability of inserting the following letter from him, dated, "The Oaks, December 11th, 1849." He says—

"MY DEAR SOUTHEY,—You say it is time for English gentlemen to come forward and put an end to the present agitation. You may rely upon it that such would quickly be the case if the agitation had been caused by any other business than the Convict question. From what I know of the Moderate party, I am convinced that they do abstain from open collision with the violent, lest they should by any possibility lead Lord Grey or the English people to suppose that there was any difference of opinion amongst the Colonists about *the reception of the Convicts*. Rather than tolerate a show of discussion on the vital point, we forbear from active measures against those whose proceedings we repudiate. Lord Grey is a man who would take any advantage of us, and he would be supported by *many* of the *English Philanthropists*, if it could be shown by any possibility that the Cape people were *divided in opinion* about the Convicts.

"It seems clear enough that Messrs. Sutherland, Truter, Fairbairn & Co. are fully aware now of the absurdity of the pledge, according to their interpretation of it. They see it cannot be worked according to their ideas, and they find themselves within the coils of the law. I heartily hope they will get a boa-constrictor squeeze, for they are only working now for their own personal ambition, and for pecuniary considerations. The real object of Wicht, Truter & Co. is to promote Dutch ascendancy and accustom the Afrikaner to public meetings,

agitation, and political feuds. I should like to know what Sir Harry thinks now of a *Representative Assembly*, and what kind of a thing it would be if established now. The same machinery which rules the acute Convict Association (so called) would ensure the return of nineteen Afrikanders and one Englishman, *and what would be the result?*

“John Linde says that masses of his neighbours are on bad terms with him, and I know that Shaw and myself and all of us who did not take a share in the Caledon Meeting have been denounced as suspicious characters.

“Yours,

“T. B. BAILEY.”

The following letters are illustrative of contemporaneous history in the Cape Colony:—

“Grahamstown, 9th October, 1849.

“MY DEAR SOUTHEY,—I have yours of the 29th ult. and 3rd inst., and am rejoiced to find that matters have taken so favourable a turn. You will see in the *Journal* a pithy letter on the subject of the last Cape Town ‘Monster Meeting,’ which I expect will cause a *sensation* among the Cape Town Ultras. I need not say who is the writer; *you* will guess that at once by the style. I am prepared for lots of abuse. In the *Journal* (those just printed) there is a little obscurity in the paragraph towards the bottom of the column referring to Dr. Adamson. As it stands, many will understand it to affirm that Dr. Adamson said on the platform, ‘There stands the traitor,’ etc., referring to Fairbairn. This simply arises from the blunder of the compositor in transposing a parenthetical mark, which, the moment I discovered, I corrected, as you will see by the copy of the *Journal* I send you to-day. I transmit it lest Dr. A. should complain, and then, should you have opportunity, you can show that the obscurity has been cleared up. I look upon the secession of Rutherford as a great triumph, and cannot doubt his being followed by other *honourable* men. Norden may do very well, but you must take care to keep him in his place, and Sir Harry, above all things, must not have anything to do with him which he would not wish to have made public. Our Ultras here are coming down a pace, and even Birkenruth and Kift are *thawed*, and recognize me with a sunny smile as usual.

“I have seen a good deal of Sir John Wylde this Circuit, and showed him two of your late (not the latest one) letters, with which he was greatly amused. The Port Elizabeth people treated him like brutes, and deserve never to have a Judge go near them any more. The best way to punish them is to open the Kowie, and then make us a good straight road to Cradock.

“I had two meetings with Mr. Montagu during his brief stay, both of which were very gratifying, though the latter one with the ‘Board of Claims’ was not quite satisfactory. The first one was about the printing, and after a good deal of discussion we came to the following understanding: M. is to transmit a letter to the Cape, requesting that, in reply to our letter, the following proposal shall be made:—

“1. To allow £100 per annum for printing and advertisements, taking in the new districts of Albert and Victoria.

“2. The financial forms to be printed in and sent from Cape Town.

“3. British Kaffraria and the Sovereignty to advertise in the *Journal*, and to be paid for separately as heretofore.

“I have engaged to agree to this proposal, and thus the other party have ‘burnt their fingers’ in meddling with the matter at all. Nothing has been said to me, but Meurant called upon my nephew in the evening. He told him that I had accepted a proposal made by Mr. M. without reference to ‘the Grensblad,’ and he (Meurant) went off in great anger for the purpose of seeing Mr. M. The result I know not, nor have I made a single inquiry on the subject. I was exceedingly sorry to hear from M. that Sir Harry remains but very poorly. I should like to see him among us here. He is too much worried in Cape Town.

“You mention the Cape Corps mess-house—and I think that at about the same expenditure of money as he would have to pay rent for a private house it might be made very comfortable. An extra room or two might be run up in the course of a fortnight, and furniture may be readily hired. I doubt not the change of air would be of immense service to him, but still more the absence of that excitement which must necessarily be occasioned by the state of affairs in Cape Town. A ride into Kafirland would do *him* good, and I’m sure would be of great political advantage to *us*.

“Montagu only stayed one day with us. He looked

remarkably well, though I'm told he met with some rough treatment along the road—the parties telling him, not that they had any bad feeling towards him, but that they were disaffected towards the English Government, the very natural effect of the proceedings of the Cape Town Ultra Convictites.

“Advocate Ebden was terribly chop-fallen while here. I gave him the cut direct—treated him as a stranger, and burked his name in my report of the cases. He is, I am told, dreadfully mortified.

“I have nothing from your brother William, and conclude he is on his way from Natal.

“Ever truly yours,

“R. GODLONTON.”

In another letter, in a postscript, Mr. Godlonton says : “Kind regards to Cock, who must take over Bower Coates’ motto, ‘While I live I’ll crow.’”

In another letter he says that “He is delighted to hear Sir Harry is to take up his abode among us for a time.” He goes on to remark, “After all, this frontier is the pivot upon which turns the future prosperity of South Africa.”

Pressure is evidently brought to bear on Mr. Advocate Ebden, as he writes—

“*Private and Confidential.*”

“MY DEAR SOUTHEY,—They are beginning to bring the Inquisitorial power in force against me, and to try and turn me out of ‘The Mutual’ for acting professionally. I am determined to die game, and to contest the battle. It occurs to me that the Grahamstown people can give great assistance, and if you could make my peace with the editor of *The Grahamstown Journal* the cause would gain strength.

“Yours sincerely,

“J. B. EBDEN.”

The following long and interesting letters were written by Mr. Godlonton in the first session of his service as a member of the Legislative Council :—

“Roesch’s, Cape Town, 16th September, 1850.

“MY DEAR SOUTHEY,—I was accidentally prevented from writing you by last post. I had you on my list, but in the very midst of my scribble I got a note from Garvoock to the effect that the Governor wished to see me. I hurried to Government House, where Sir Harry detained me for a couple of hours, by which I had barely time to post the letters I had previously written. You will have seen, ere this reaches you, our proceedings in Council, which are—or, at least, the preliminary portion of them, in which I am concerned—reported with tolerable accuracy in the papers, though not free from blunders. You may well suppose that my mere introduction—stranger as I am here—into Council would be a rather nervous affair, but to know that I had organized against me, on the very threshold, the joint opposition of the Baronet, Fairbairn, Brand, and Reitz, made it still more so. Add to this that I was labouring under a most distressing nervous bilious attack, occasioned by my sea voyage—everything appearing to be in motion, the very room in which I stood, and the desk at which I wrote, appearing, to my imagination, to be rocking to and fro. However, I am glad to say that, amidst it all, I was enabled to retain my self-possession, and, from a feeling of conscientious rectitude,\* so to defend myself and baffle and defeat the object of those who attacked me.

“I now begin to feel my feet. We have since had some very earnest and animated debates, and I now discover that I have not got amongst such monstrous giants as at a distance they appeared to be. The Attorney-General has throughout behaved nobly, ably, and generously. He has warmly defended the interests of the Eastern Province, and the people there owe him a debt of gratitude which I cannot express. Fairbairn is a perfect Jesuit in editorial garb. His speech, occupying a full hour, in favour of a non-property qualification for members of the Upper Chamber, was, in my opinion, destructive of all property and of all stability throughout the country, and I am quite sure that, had he carried his point, we should have been at the mercy of any designing demagogue who might have started as a political

\* Mr. Godlonton was nicknamed “Moral Bob” by those who did not admire him.

adventurer. Fortunately for the Colony, he was ably met by Porter and Montagu. The speech of the latter was a masterly exposition of the whole case, and a really affecting appeal to the public mind against the reception of such doctrines as those broached and supported by the speaker I have named, whose position, in my opinion, he demolished, and whose specious arguments he first held up to the light and then tore to very tatters.

“The public mind got very excited on the subject, and at the close of the second day’s debate was in a great ferment. A petition against Fairbairn’s project was sent in, signed by about twenty of the larger property men in Cape Town, Dutch and English, and it was evident that my ‘contemporary’ had greatly damaged himself in public estimation. I had occasion to express my opinions several times in the course of the debate, and they seem to have given so much satisfaction that it may be doubted whether, in the event of another election just now, I should not command as many votes even in Cape Town as Fairbairn himself! Your friend Reitz is a mere tool in the hands of the crafty and unscrupulous trio. He has never given a single vote contrary to their views, and goes through thick and thin with them.

“In spite of all this difference of opinion, I am gradually trampling down opposition and subduing bad feeling. My temper has been maintained unruffled, and even the Baronet, near whom I sit — only Reitz being between us — condescends to smile graciously upon me, and even to consult me upon points in which he is deficient of information. Brand and Reitz are very friendly, but Fairbairn still keeps aloof, and you may depend I shall not move a single step to one side or the other, either to court his smile, or acquire his good opinion. I am, however, more than ever convinced of the importance of the Eastern Province being represented in this Council.

“The clique have tried hard to throw the preponderance of power into the scale of the Western districts, or rather of Cape Town. But this we have resisted, and with success. We are to have forty-six members for the Lower House, twenty-two of which are to be from the Eastern, and twenty-four from the Western districts—a small majority which we could not refuse, considering the density of the population of this city. But in the Upper Chamber the two provinces are placed on a perfect level, eleven



electoral divisions being apportioned to each. We have *carried* that the qualification for the Upper House shall be £2000 of unincumbered fixed property, or if incumbered, then fixed property to the same amount, and unfixd property, free of all debts, to the amount of £4000. We have also carried that the qualified age for the Upper House shall be thirty years, and its duration ten years, half the members to go out at the expiration of every fifth year. The only point the clique has carried has been the franchise for the Upper House, which is to be the same as for the Lower—namely, occupation of landed property for the previous twelve months of the value of £25. I proposed, in opposition to this, that the qualification for the elector of the Upper Chamber should be occupation of property of the value of £100, but the Attorney-General and Mr. Field voted against my amendment, and it was consequently lost by a majority of *one*.

“I am perfectly at my ease here, my quarters are excellent, and the other inmates of the house most gentlemanly, agreeable men. We are perfectly free to act as inclination prompts. An excellent table is kept, of which we can either avail ourselves or not as we think proper. Sir Harry and all the officials have treated me with marked and distinguished attention. My table is covered with cards of gentlemen who have done me the honour to leave them, while several letters of introduction I brought with me have not been as yet delivered, being retained from a feeling that I would rather make my way myself than be assisted by any extraneous aid of this character.

“My old friend — I may say teacher — Rivers was quite delighted to see me, and my reception by Mrs. R. at Green Point, whither I went out to breakfast, was that of a near relative rather than a humble stranger. We dined at Government House on Friday, my fair partner to the ‘banqueting hall’ being Mrs. McLeay (I am not sure of the orthography), whom I had the honour of seating next to Sir Harry himself. I need add nothing more to this long and prosy epistle, except to say I remain,

“Yours most truly,

“R. GODLONTON.”

“Cape Town, 26th September, 1850.

“MY DEAR SOUTHEY,—You will see enough in the public prints to gather from them our position. Fairbairn and his clique stand now in full relief as a dangerous factor, destructive to British interests, and ruinous to the property of the country. I have so much to say that I scarcely know where to begin—and preparatory to all, you must not put implicit faith in the published reports of our proceedings, as the *honest* reporters of Cape Town swell all that makes on their own side, and pare down and mutilate all that makes against them. The Faction evidently intended to quarrel and back out from the very outset. They took ground on the nomination question, but there they were baffled. Then they tried it on the subject of qualification of members of the Upper House, but that would not do; public opinion set dead in against them, and hence they waited for the estimates. Sir Harry kept his temper admirably, and accepted their resignation with the best grace imaginable.

“On the resignation of the clique there was a good deal of noise and clamour, a large packed *Dutch* party being present, and these were disposed to be rather uproarious; but still, by facing them calmly and steadily, all went off quietly. I drew up, early the following morning, twelve reasons for consenting to go into the estimates, and these, though they cannot be entered on the minutes of the Council, will go home with the Governor’s despatches, and be published in *The Grahamstown Journal*. You will see by the *Gazette* what we have been about in the interim.

“Stockenström and Fairbairn are, it is said, to be sent home, and I have been urging that Montagu should be sent there at the same time. The Governor thought at first of moving his Executive either to Uitenhage or Grahamstown, and recruiting in the Eastern Province, but Porter overruled this, and hence all public business, improvements, etc., are postponed *sine die*. This being the case, my labours here are nearly at an end, and I am now considering what route I shall take home. Cock has made up his mind to be off with the steamer on Tuesday. I am at present loth to go home without seeing the country which lies between this and Grahamstown. Bailey has been here, and has given me a kind invitation to spend a day or two with him, promising to put me forward. Bain has also sent me an invitation. Cock tries to deter me, but at present I am strongly inclined to

take you in the way and have a long chat with you in Swellendam.

“I have a great deal to say, but cannot find *time* to commit it to paper. I am treated here with great distinction, and would I but consent to remain, have before me the most flattering prospects ; but I am a frontier man, and with the frontier people must either stand or fall.

“Yours most truly,

“R. GODLONTON.”

At the end of 1849 Mr. Southey was appointed Civil Commissioner and Resident Magistrate of Swellendam, one of the oldest and most important divisions of the Colony, then including Ladysmith, Riversdale, and Robertson. Here for some time he led a life of peace under his own vine and fig trees, among the shady bowers and beautiful gardens of the town of Swellendam. But while holding this office, the Kafir War of 1850–2 broke out, and Mr. Southey bestirred himself to assist his beloved friend and chief Sir Harry Smith. So energetic and successful were his endeavours to enrol natives, act for the Commissariat Department, and co-operate generally, that at the termination of the war he deservedly received the best thanks of the Government.

The correspondence of this time presents no salient features of interest, with the exception of the following letter:—

“King William’s Town, 1st September, 1851.

“MY DEAR SOUTHEY,—Montagu will be with you in a day or two after you receive this, and I wish you to be so good as to accompany him to Cape Town. Lady S. will put you up. Go to your old workshop and send me copies of every document which bears *my signature* or has my authority through you or Garvoek from the day we first began to work on Sovereignty matters. The French missionaries have drawn out a document, and a copy has been sent to me, to prove that my Proclamation of the Sovereignty has caused nothing but strife and dissension ; and nothing more so than the boundary-line, which they and Moshesh condemn, although on 10th March, 1846, a petition

was signed by all the chiefs, Moshesh of the number, praying the then Governor to establish general limits. The missionaries also state that the carrying out this obnoxious measure was most wantonly done, and that a brother of Moshesh and 100 villagers were taken from under his jurisdiction, etc. Now, when we were at Winburg with Moshesh, the *first* as well as the *second* time, you well know how he approved of the establishment of Her Majesty's paramount authority—the document he wrote me, my reply, and something about Molitsani. Casallis then spoke to me requesting my interference with the Boers on the Mooi River—who were usurping the lands of Moshesh's subjects—and my restraint upon them. Take care I get copies of every document from the beginning. My letters, yours, Garvoek's—which you will find in our letter-books. Montagu will assist in the copying part. Garvoek will send you copy of the blessed missionaries' statement; you will see they avoid all mention of the first cause of quarrel—Sikonyella burning the missionary station of Umpakani, etc. The plunder of Moroko's people because he aided the British Government; Moshesh's acknowledgment of the crime by tendering horses and cattle in restitution, but not enough—hence Moroko rejected. The crime committed by Moshesh's people was however acknowledged; nor do the missionaries state that Moshesh has been intriguing with Kreli and Sandilli—encouraging Morosi and the Tambookies in war, etc. Pray Southey take *great* pains to furnish me with all this information. Your expenses on the journey shall be repaid you.

“ Faithfully,

“ H. G. SMITH.”

The copies of these documents were duly made and sent, accompanied by a memo from Mr. Southey, in which he rebuts the statements and claims of the missionaries.

The two powerful chiefs in South Africa were Moshesh in Basutoland and Kreli on the eastern frontier of the Cape Colony. The first was considered to be indirectly implicated in the Kafir War of 1850–2, but Kreli was correctly styled “the great promoter of hostilities.” Among the papers of Mr. Southey is a “Memorandum,” not only bearing reference

to Kreli, but traversing extensive ground connected with native affairs. The document is one of those valuable *Memoires pour servir* which should be published in its entirety.\*

The Kafir War of 1850, in which Mr. Southey was specially interested, must be referred to. As has been said, he assisted as Civil Commissioner of Swellendam in sending forward levies; and the result of operations affected greatly his own future career as well as that of Sir Harry Smith.

Sandilli, Chief of the Gaikas, felt that his power was diminishing, and, in order to regain influence and authority, suborned a witch doctor named Umlangeni to stir up the people to war by predictions and other artifices. Unfortunately, the Governor had not Mr. Southey at his side when he left Kaffraria in November, 1850, convinced "that the country was in a state of perfect tranquillity," and that the crisis of an attempt "to establish arbitrary power by the Chiefs has passed most happily." In December war broke out, and there were only 1435 regular troops to resist the enemy. A force of 600 of our men were severely handled in the Booma Pass, and on the Debe flats an escort, consisting of a sergeant and fourteen men, were killed. Worst of all, in the military villages of Johannesburg, Woburn, and Auckland woeful acts of slaughter and pillage took place on Christmas Day. At the same time the Governor was shut up in Fort Cox, and was forced to gallop for his life to King Williamstown, losing two officers and twenty men, and leaving one gun behind. Previously he had fought for victory—on this occasion he had to struggle for his life. But the vigour and energy of this brave man were conspicuously shown by the manner in which, at the head of 250 Riflemen, he forced a passage through dense masses of the enemy.

The Kafir Police, 365 strong, went over to Sandilli, and

\* This will be found in Appendix B.

he was also joined by Hermanus and the Hottentots of Kat River. Extensive desertions took place from the Cape Corps Regiment, and a panic existed throughout the Colony. To the northward, in an attack upon the Tambookies at the Wittebergen, the Colonial party was obliged to retire with loss; Whittlesea was twelve times furiously assaulted, and Forts Hare and Brown were attacked. All this completely justified the Governor, first in calling out the Eastern Burghers *en masse*, and then in appealing for support to the Western Yeomanry, while at the same time he asked the Imperial Government to send two additional regiments to the Colony. His force on the 1st May, 1851, had increased to 9500 men, including 6th Foot, Royal Artillery, Royal Engineers, 45th, 73rd, and 91st Regiments, as well as a remnant of the Cape Mounted Rifles, a Fingoe levy, and a number of undisciplined Burghers.

Disturbed in the Amatola mountains, the Kafirs now invaded the Colony, and within six weeks carried off 5000 cattle and 20,000 sheep, besides burning 200 farmhouses. The public roads were quite unsafe. Troops had to disperse armed bands in the forests, while the Great Fish River jungle and the guerilla efforts of the enemy, assisted by their intimate knowledge of the country, proved extremely embarrassing. The 2nd Queen's, 74th Regiment, and Lancers arrived from England, but more men were still required and demanded. The Waterkloof was cleared and operations commenced against Kreli. It must have been extremely galling to Sir Harry Smith to be told at this juncture by the Secretary of State (Earl Grey)—

“It is with great concern I have received intelligence that much less progress has been made than I hoped towards the subjugation of the Kafirs, and that they had inflicted such severe injury on the Colonials.”

England never seems adequately to grasp the idea of the greatness of areas in South Africa. Sir Harry Smith pointed

out the vast extent of the country in which he had to operate, and the fact that the insurgents were from 10,000 to 20,000 strong. The troops had done wonderfully well. They had rested scarcely a single day, and, so long as the insurgents had held together in large numbers, had defeated them on forty-five different occasions between 24th December, 1850, and 21st October, 1851. Above all things, the force at the General's disposal was not adequate.

In 1852 General Somerset took 20,000 head of cattle from the natives, and they were defeated on several occasions, although a sad reverse took place at Waterkloof on the 7th March, when a party of British troops, 500 strong, were attacked successfully by 3000 Kafirs. The wreck of the steamer *Birkenhead* on the 26th February, when 413 of our men were lost, was another blow.

The taxpayers of England had become exceedingly impatient at the burdens imposed upon them by this "expensive Kafir War," and accordingly, on the 14th January, 1852, Earl Grey complained that, although the force placed at the disposal of Sir Harry Smith had been very considerably increased, no real advantages were gained; the losses of our troops were heavy, and their successes barren. That the Governor was gravely in error when he expressed assurances before the war that there was no real danger, and very ill-advised not to deal more promptly and severely with the rebel Hottentots. Indeed, had His Excellency's "military operations been less complicated by political difficulties, he would have achieved the same success by which he had been formerly so much distinguished."\*

Mr. Southey naturally felt the recall of Sir Harry Smith as a blow to himself, although he had reached a secure official haven in Swellendam. Feelings of friendship and

\* For this period of history see Wilmot and Chase's "History of the Cape Colony," p. 453. Mr. Chase had been Private Secretary to Sir Harry Smith.

gratitude caused him sincerely to sympathize with the Governor, and say farewell with great regret. A distinguished soldier, who eventually gave his life for his country in the Crimea, Lieut.-General Sir George Cathcart, was appointed to succeed Sir Harry Smith, and, for the purpose of civil administration in the Cape Colony, Mr. C. H. Darling was appointed Lieut.-Governor, and stationed in Cape Town. Decisive and successful operations brought the war to an end in 1853, although we had to deplore the victory gained by Moshesh at the battle of the Berea.

The following letter shows how Mr. Southey was called upon to leave Swellendam and go to Cape Town:—

“*Private.*”

“Woodstock, 3rd April, 1852.

“MY DEAR SOUTHEY,—My health is breaking up so fast that I am obliged to go away for eighteen months to England as soon as Lieut.-Governor Darling is sufficiently settled in his new office to spare me. I have spoken to him and to General Cathcart, and I shall have my leave from 1st July at all events, and most probably from 1st June next; and there will be no difficulty in your acting for me on half salary (£750, and £200 the half of your own as C.C. Swellendam) if you are still disposed to undertake it; but I will not propose you officially until you answer this note. Having talked the matter over with you so fully in September last, I need not more particularly refer to the subject than again to assure you that I would rather have you as *locum tenens* than any other man in the Colony, because I feel confidently that you will do the duty efficiently, with honesty and a singleness of purpose, for the best interests of the Colony.

“Yours sincerely,

“JOHN MONTAGU.”

Mr. Southey was appointed Acting Secretary to Government in due course, and at this stage of his biography it seems desirable to consider the constitutional position of the Cape Colony. A demand for representative institutions can be traced back for many years, and there is no doubt that



the successful anti-convict agitation of 1849 did much to hasten their advent. Sir Charles Adderley tells us ("Colonial Policy," p. 3) that the normal current of Colonial history is perpetual assertion of the right of self-government. Certainly the statement was exemplified in the Cape Colony. However, until the year 1854 the constituted Government comprised an Executive Council and a Legislative Council, both appointed by the Crown. The former was composed of the principal officials, while the latter comprised thirteen members, seven of whom sat by virtue of the offices they held (Secretary to Government, Attorney-General, etc.), while six unofficial members were appointed by the Crown, on the recommendation of the Governor. All held their seats during pleasure.

Unfortunately the Lieutenant-Governor was a difficult man to please. His relations with Mr. Montagu had become straitened previous to the departure of that gentleman for England, and we cannot wonder that Mr. Southey was looked upon with some measure of suspicion and dislike, because he was the man upon whom Mr. Montagu had thrown his mantle. There was a good deal of the autocrat about Mr. Darling. An advertisement about a harmless political meeting elicits the following :—

"*Confidential.*

"MEMORANDUM.

"I perceive that there is to be a public meeting to-day on the subject of the Constitution. I should be glad if steps were taken by the Resident Magistrate or Chief of Police to ascertain by what number of persons it may be attended, and by what classes, and who are the best known and principal citizens and inhabitants who may take a part in it.

"I should be glad, also, if it could be ascertained how many Municipal Commissioners were present when the resolution respecting Mr. Montagu was passed, and who they were. Has the Government a right by law to call for the records of the proceedings of the Municipality ?

"C. H. D.

"7th October, 1852.

"The Honourable the Secretary of Government."

At a very early stage Mr. Southey found this autocratic Lieutenant - Governor exceedingly unpleasant. However, Sir Harry Smith says of him in a letter from England—

“ Belmont House, Havant, 30th October, 1852.

“ I am glad to see the Lieutenant-Governor gets on so steadily and well. He struck me as a business-like man, with good common sense—the best of all ability.”

Mr. Montagu writes from London on 23rd November, 1852—

“ I have entered so fully into the misunderstanding between you and Darling, that I have nothing more to add.”

He goes on to say—

“ What a donkey Darling made of himself in the matter of subscriptions for assisting burghers to join the Kei expedition ! His game to be popular will trip him nicely before he has done with it, or his town-house friends and their friends are not such scamps as I believe them to be.”

He goes on to animadvert severely upon Mr. Hope, Auditor-General, and, anticipating the completion of Bain's Kloof, refers to the “ Seven Weeks' Poort.” He concludes by saying—

“ It is very pleasing to me to know that all the clerks work so well with you, and that, as far as the office itself is concerned, everything is going on so smoothly and to your satisfaction. Had it not been for this unfortunate affair with Darling, everything around you would have been cheering. John will tell you what I am doing to try to get you confirmed permanently, upon my getting another appointment.”

In a letter from Mr. Southey to Sir George Cathcart dated 13th January, 1853, he appeals from the decision of Lieutenant-Governor Darling suspending him from office. He says—

“ I have as yet received no direct or formal letter apprising me of my actual removal from office, but I have, by a letter of

yesterday's date, requested His Honour to be pleased to furnish me with the specific grounds or charges upon which the suspension is founded. I gather from the previous correspondence that the only ground upon which His Honour was about to take this step was that I had not, when advising as a Member of the Executive Council on certain charges preferred by His Honour against Mr. J. E. Montagu, Chief Clerk in the Colonial Office, apprised His Honour of my knowledge that he (Mr. Montagu), while acting as Clerk of the Council, had transmitted copies of certain minutes to the Secretary to Government (Mr. Montagu), absent on leave in England. I trust I have sufficiently explained (for your Excellency's information) in my letter to the Lieutenant-Governor that I had not, any more than had Mr. J. E. Montagu, the slightest suspicion that any impropriety attached to the act which I am accused of concealing."

The charges at that time preferred against Mr. J. E. Montagu, and then under the consideration of the Council, were to this effect—

"1st. That in a letter to your Excellency, he had misrepresented facts for his own pecuniary ends.

"2nd. That in disobedience to the Lieutenant-Governor's instructions, and in violation of the secret and confidential nature of his duties as Acting Clerk of the Council, he had entrusted the current volume of the Executive Council Records to a person not a member of that body, and allowed him to transcribe therein the minutes of the Council.

"I am at a loss," Mr. Southey goes on to say, "to perceive how the fact of his having transmitted copies of Minutes to the Secretary to Government, himself a Member of the Executive Council, although temporarily absent from his office, either related to, or in any way could affect, the charges then preferred against Mr. J. E. Montagu. In the absence of any intimation from the Lieutenant-Governor to the contrary, I had regarded a compliance with Mr. Montagu's expressed wish to be kept informed of passing events connected with his office during his absence as perfectly privileged and involving no impropriety."

Of the same date as the above letter, 13th January, 1853, a notice appears in the *Government Gazette*, signed by

“ Elliot Salter, Private Secretary,” stating that the Lieutenant-Governor

“ has been pleased to appoint the Honourable Wm. Hope, Auditor of Public Accounts, to act as Secretary to Government until the pleasure of His Excellency the Governor be known, in the room of Richard Southey, Esquire, whom His Honour has felt it his duty to suspend from office.”

The appeal to a Governor in the field (Lieut.-General Sir G. Cathcart) was unavailing. There is an interesting letter dated “ 4 o'clock, Saturday,” from Mr. John E. Montagu to Mr. Southey, at Swellendam, in which he says—

“ Your suspension is confirmed. Now, it is all important that you should go by *this* steamer, which leaves on Monday. It is said she will leave at 12 o'clock. Bayley and all your friends think that you should come down by express *immediately* you receive this, and if you make great haste you will be in time. Depend upon it, it is most important that you should get home by the *Indiana*, as it will look odd if the Home Government receive the Governor's approval of your suspension, and you don't make your appearance at the same time, or some representation from you. I entreat you to come *as soon as you receive this*. In anticipation of your doing so, I have written to Linde to have a cart and horses ready to bring you on. I do hope that you will see the necessity of at once coming, and by riding hard you may be in time. Your case depends upon your going home by this mail. I shall expect to see you by 10 o'clock on Monday.

“ Yours sincerely,

“ JOHN E. MONTAGU.”

This letter was evidently sent by hand, and is addressed on the outside—“ Immediate, Richard Southey, Esq., Swellendam.”

The man who had successfully served under the swift-moving and impetuous Sir Harry Smith, lost no time on the road, embarked in the mail steamer, reached England in due course, and immediately laid his appeal before the Secretary of State for the Colonies. The following little memo, written

forty years after this voyage, refers to the steamers and voyages of 1853:—

*“Reminiscences of a Voyage from the Cape to England and back by Mail Steamer about Forty Years ago.”*

“At the time referred to the mail service between this Colony and England was performed by a Company denominated ‘The General Screw Company,’ the mails being carried once a month each way, and the time allowed from here to England, or from England to this, was, if my memory is correct, thirty-eight days. The Company’s ships conveyed mails also between England and India, the Australian Colonies, etc., so this was but a halting-place for delivering and taking in passengers, mails, and merchandise, the ships being delayed in Table Bay only so long as needful for those purposes; and if outward bound to India, proceeded, *via* Mauritius and Ceylon, to Calcutta; or if to Australia, proceeded in that direction; if homeward bound, they had to call at St. Helena, Ascension, and the Island of St. Vincent (Cape de Verde), and were allowed a certain fixed time for detention at each of those places—six hours at each of the two first named, and three days at St. Vincent for taking in coal and water. In those days the mail service was subject to the supervision of the Admiralty, and it was customary to have a naval officer on board each ship to see that the terms of the contract were duly observed.

“R. SOUTHEY.”

Some months were occupied in pleading his case, and then, as might have been expected, his suspension from office was reversed. The despatch from the Secretary of State for the Colonies to the Governor of the Cape of Good Hope is as follows:—

“[No. 60.]

“Downing Street, 10th May, 1853.

“SIR,—

“1. I have to acknowledge Lieutenant-Governor Darling’s despatches of the numbers and dates noted in the margin, reporting the suspension from his office of Mr. Richard Southey, Acting Secretary to Government, relating the particulars of

certain alleged misconduct on the part of Mr. J. E. Montagu, No. 18, Chief Clerk in that office which the Lieutenant-Governor had <sup>24th Jan.</sup> not thought it necessary to visit with similar punishment, and <sup>No 27.</sup> informing me also of certain proceedings in the Executive <sup>5th Feb.</sup> Council and correspondence respecting Mr. Southey's conduct <sup>No. 28,</sup> <sup>5th Feb.</sup> in relation to certain charges preferred against Major Longmore.

"2. Feeling myself bound to convey to you, on the part of Her Majesty's Government, the disallowance of the suspension of Mr. Southey, which creates the substantial issue raised by these despatches, I must add that it has been an additional source of difficulty to me, in arriving at this conclusion, that the suspension in question appears to have been approved by yourself. But I understand you to have approved it only subject to the further reference to Her Majesty's Government, which you knew was pending. It may be that under these circumstances you only thought it necessary to give the support of your authority to the Lieutenant-Governor with a view to that ultimate decision. If, however, this approval expressed your deliberate opinion on the entire case, I am obliged to say that the circumstances of it lead me to a different conclusion.

"3. The ground on which Mr. Southey had been suspended (against the opinion of the Members of the Executive Council who considered the case) is, That he authorized the transmission to the Secretary to Government, while in England on leave of absence, of copies of Minutes of the Executive Council, and of other documents from the Secretary's office, without the sanction or knowledge of the Lieutenant-Governor.

"4. That this was a deviation from the correct official course on the part of Mr. Southey there can be no doubt. No one, whatever his rank in the Civil Service in a Colony, can have any right to the perusal of official documents when absent from his post, except by the express permission of the officer administering the government.

"5. But when I consider the circumstances under which this deviation took place—that Mr. Southey acted under the directions of Mr. Montagu himself, who doubtless had some reason, founded probably on misapprehension, for supposing that he had permission to receive these documents, and that he appears to have acted in full reliance on those directions and without any intention whatever (so far as the evidence goes)

of committing an act of disobedience—I fully concur with the Members of the Council in thinking that, whatever the amount of this misconduct may be, it would have been fully met by a simple reprimand, and was very far indeed from requiring the extreme penalty of suspension.

“6. I cannot pass by this part of the case without observing, on Mr. Southey’s complaints, that he had neither an explicit statement of the charges against him nor a full and fair opportunity of defence. I will not enter into a particular inquiry whether these complaints are well founded, because, considering him entitled to a reversal of his sentence on the merits, such an inquiry seems to me unnecessary. But some expressions which occur in this correspondence appear to me to call for a distinct expression of my own views. I consider that every public servant against whom it is intended to proceed by suspension is entitled to an explicit statement of the charges against him, and is entitled to a full defence against those charges, whether in writing or orally before the Executive Council, as circumstances may dictate. If fresh charges are raised by the discussion which then takes place, those charges must in their turn be explicitly laid before him, and full opportunity given for answer. This is the course which the Colonial Regulations and your own Instructions lay down in general terms; and if any doubt arise as to the meaning of those terms, it must be solved by a recurrence to the spirit of the whole rule—namely, that the accused party must have the charge distinctly made against him, and have all reasonable means of defence placed in his power.

“7. With respect to Mr. J. E. Montagu, I need only state that the main charge both against him and Mr. Southey being thus disposed of, I do not consider that the other portions of these despatches which relate to his conduct require any notice from me.

“8. I understand, however, your own decision in the case of Mr. Southey to be founded in part on his conduct in the matter of Major Longmore.

“9. I do not consider that conduct wholly free from blame. I will not particularize farther than by saying that I agree in many of the remarks of the Executive Council on the subject; and in particular I disapprove of his procuring a voluntary affidavit from Michael Butler, not only on account of the

controversy between him and the Lieutenant-Governor, which this proceeding formed a part, but also because it was in itself a wrong step. It is one which in this country would probably be held a breach of the law, and is certainly a violation of that respect due to the solemnities of justice which forbids unnecessary oaths.

“10. But I am under the necessity of adding that I feel myself quite unable to visit this conduct with severity on Mr. Southey, when I remember that the pertinacity which he showed on the occasion was exhibited in a right cause.

\* \* \* \* \*

“12. Mr. Southey will accordingly be reinstated as Acting Secretary to Government. I do not fully understand the position in which your decision had placed him with respect to his Civil Commissionership at Swellendam; but it is my intention that he should be placed in all respects in his former position as to salary and office, as if these proceedings had not taken place. I sanction, however, the payment of half salary to Mr. Hope during his temporary performance of Mr. Southey's functions.

“13. Having thus disposed of the points submitted for my decision, I must not close this despatch without adding what appear to me necessary suggestions for the guidance of the Lieutenant-Governor in a position, I am ready to acknowledge, not free from difficulties, but requiring therefore the greater exercise of judgment and moderation on his part.

“14. I must observe that there is nothing which adds so much to the proper influence and power of a superior as an habitual observation of what is due to the self-respect of those who fill the inferior grades of the public service. His demeanour towards them should at all times be characterized by a generous sense of the disadvantageous footing on which they stand relatively to himself. Even rebuke and censure are best conveyed in measured language, and it will be found that, be the provocation what it may, to lose sight of this rule of conduct is to part with the most efficient check upon insubordination which a superior officer possesses. In the perusal of these papers I could not fail to notice more than one instance of a departure from this salutary rule.

“15. In the next place, I must impress on him that the regulations of 1850, to which so much reference is made in these



proceedings, were intended for the purpose of securing a high tone of moral character in the Civil Service of the Colony; that although it is just to interpret them strictly within their limits when a question arises as to the dismissal of an officer for transgressing them, their spirit and general meaning are to be looked to when considering the claims of any one to an appointment, and that, unless these Regulations are followed in full accordance with the views here indicated, a laxity in the conduct of Civil Servants will be introduced which will lead to such mischief as no Governor can control, and against which, at this particular juncture of the affairs of the Cape Colony, it is most especially the duty of all concerned in the administration of its Government to guard.

“I have the honour to be, Sir,

“Your most obedient, humble servant,

“NEWCASTLE.”

Governor, Lieut.-General The Hon. G. Cathcart, etc.

When Sir Harry Smith heard the good news, he wrote to his friend—

“Government House, Devonport, 11th May, 1853.

“MY DEAR SOUTHEY,—Thank God! Authority regards you the honest and upright man *as I do*.

“The Cape steamer touches here. When you go, could you not be picked up here by preceding your kit a few days, and stay with us? We should be both most happy to see you. A pretty state of *harmony and union* the Cape will be in when you return in triumph. Mind what *I say*, as the dear Duke W— said to me on my return, ‘Mind what you do; everything is political, and both parties will try to make a tool of you. Your case as it stands cannot be improved, but may be *injured*’—quite applicable to you.

“H. G. S.”

Relations in England thus expressed their joy—

“Culmstock, 10th May, 1853.

“MY DEAR NEPHEW,—This morning I received your note of the 7th inst. The contents thereof have given me very great

pleasure, and drawn tears of joy from the eyes of your Aunt Robert Southey. All our relatives here are greatly delighted to find that you have overcome your enemies, and that you will return to the Cape an honourable gentleman.

“Your affectionate uncle,

“SOUTHEY.”

## CHAPTER V

Mr. Southey again Acting Colonial Secretary—Mr. Rawson appointed—Southey Secretary to Lieut.-Governor in Grahamstown—Letters from Sir George Grey, Commandant Currie, Mr. Rawson, and Lieut.-General Wynyard—The missionaries and native affairs—Rawson goes to England, and Southey acts as Colonial Secretary—Parliamentary proceedings and politics in the Cape Colony—Letters from Mr. Rawson and Sir George Grey.

MR. SOUTHEY returned to the Colony in 1853, and resumed his duties as Acting Secretary to Government. A new Constitution had been framed for the Cape of Good Hope by a Committee of Her Majesty's Privy Council, after consideration of papers and minutes forwarded by the Governor in the year 1848. This provided a system of representative government with two Houses of Parliament, but the first session was not held until the year 1854. The officers of the Government had the right of speaking in both Houses.

The old Legislative Council during the Anti-Convict Agitation in 1849 had suffered the loss, by resignation, of all its official members with the exception of Mr. Cock of the *Kowie*. To fill up the vacancies thus caused, a peculiar mode of popular election was adopted, which resulted in the greatest number of municipalities and Road Boards recommending Advocate C. J. Brand, Sir A. Stockenstrom, Mr. F. W. Reitz, Mr. J. Fairbairn, and Mr. J. H. Wicht. This was indeed a packed assembly, with very little representation for the East; and so, although the Governor appointed the first four, he substituted the name of Mr. Godlonton of the *Grahamstown Journal* for that of Mr. Wicht.

In arranging the details of the Constitution there was

considerable conflict between Mr. Montagu and the four "popular members," whom the Secretary declared would never have been elected but for the electioneering influences of a party in Cape Town. They would not pass the estimates, taking "The Constitution and nothing but the Constitution" as their watchword, were outvoted, and then resigned. In this way the Legislative machinery again stood still. In accordance with the wish of the Secretary of State, a Commission consisting of the remaining Members of the Council framed an ordinance exactly in the same manner as if they were legislating, while the Members who had resigned drafted another which they styled "The Sixteen Articles." There was little difference between them except as regards the qualification of Members of the Upper House, and the mode of their election. Nevertheless, the supporters of the latter scheme sent Sir A. Stockenström and Mr. Fairbairn to England in order to vindicate the rights and interests of the Colonists before the British Parliament and people.

As it transpired that it was absolutely necessary for the Legislative Council of the Cape Colony to pass the Constitution Ordinance, the Governor received instructions to summon it to meet in Cape Town. Accordingly four new unofficial Members, in the persons of Messrs. Hawkins, Arkoll, Christian, and Moodie, were appointed; the Council held its session, and the desired measure was duly passed and sent to England.

Mr. Southey had not long returned to Cape Town when the sad news arrived of the death of his friend Mr. Montagu, whose strength had been overtaxed in the Colony by work and anxiety. He had held the office of Secretary to Government from 1843 to 1852, and by the formation of roads and "passes," as well as by an excellent financial policy, rendered very great service to the Colony. To this vacancy Mr. Rawson William Rawson, Treasurer and Paymaster-General of Mauritius, was appointed. It was in 1853 that the old Legislative

Council was abolished, and in 1854 that Sir George Cathcart proceeded to England to assume the office of Adjutant-General. Mr. Darling, however, remained as Lieutenant-Governor until the arrival of Sir George Grey.

Having concluded his service as Acting-Secretary to Government in Cape Town, Mr. Southey was appointed to be Secretary to the Lieutenant-Governor in Grahamstown, where his duties were comparatively light, as all real power and authority resided in Cape Town. Except so far as reports on frontier subjects and advising with reference to Eastern Province appointments were concerned, there was no administrative work. Mr. Southey could never be called a party politician, and it was in wisely carrying on the practical work of the country that he specially distinguished himself. His character stood deservedly high as a most reliable official, and we therefore cannot be surprised that at the death of Mr. Wm. Hope, Auditor-General, he was appointed by the Governor to fill that office. The Secretary of State had, however, previously appointed Mr. Eldred Mowbray Cole, a cousin of Lord Derby, then Prime Minister, to be Auditor, and that gentleman, who had previously come out to farm in the Colony, and was then a Civil Commissioner, took up the appointment.

One of the great statesmen who helped to consolidate the British Colonial Empire ruled the Cape as Governor from December, 1854, to August, 1861. Sir George Grey's policy was to reclaim and civilize the Kafir races by systematic efforts, and as means to this end he settled Germans in Kaffraria, and established a hospital for natives in King William's Town. Subjects which engaged the attention of the Cape Parliament included increasing the Armed Mounted Police, the establishment of a Burgher Force, mission and industrial schools, the formation of an adequate Judicial Bench, immigration, railroads, and steam communication with England. Now that representative institutions were in force, the highest officials had to defend themselves and the

Government in Parliament, while the Colonial Secretary was, of course, Prime Minister.

In Mr. Southey's position as Secretary to the Lieutenant-Governor in Grahamstown he played but a subordinate part, although his experience and advice were of great service. Unobtrusively, but with zeal, diligence, and ability, he performed the duties of his office. Among the letters of the period is one from Sir George Grey (without date), from Fraser's Camp, in which he says—

“MY DEAR SOUTHEY,—You will think me an unconscionable fellow when I tell you that I shall be in Grahamstown this evening, and shall want my house. But, really, it is the fault of those rascally Indian mutineers, and not mine; therefore, I hope yourself and Mrs. Southey will lay the blame on the right shoulders, and not on mine. Since their conduct has forced us into so unfriendly an act towards you, I feel more indignant with them than ever.

“Truly yours,

“G. GREY.”

During the period that General Wynyard was Lieutenant-Governor there were numerous letters from him, but very few require to be quoted. In one communication he styles the Castle of Cape Town “an old Dutch palace,” and rejoices “to have the benefit of it during the hottest season of the year.” The usefulness of the position of Mr. Southey is frequently indicated, as, for instance, when the Lieutenant-Governor writes—

“As I cannot find out from the official records what Sir G. Grey's ultimate instructions may have been respecting the disposal or location of the natives, and as he never left me any special instructions on the subject, perhaps you may be able to enlighten me.”

An important phase of affairs in the Orange Free State in the year 1857 is fully referred to in the following letter to Mr. Southey from Mr. W. J. Halse:—

“Smithfield, 4th January, 1857.

“R. Soutley, Esq., Grahamstown.

“MY DEAR SIR,—In my last I stated ‘I was convinced the time was not far distant when the British Government would be compelled to interfere in the politics of the *Free State*, or, perhaps, even to re-annex it to the Colony.’ That time has, I think, arrived. You have, of course, seen the *Bloemfontein Gazette* of the 20th and 27th December, the first confiscating all the property in the Free State of British subjects or non-residents, and demanding the oath of allegiance from all resident Europeans, etc., and the second not only curtailing the liberty of the Press, but making it punishable with five years’ hard labour to any resident writing in a Colonial paper, even ridiculing any of the F. S. Authorities. The object is evident, to be able to commit any act of iniquity without its being made public. It may be said it is only a draft of an Ordinance, and will not pass. I am convinced it will. There is not one now in the Raad to oppose it, and Boshof has threatened to resign unless it does pass. Again, it may be said we have six months to sell, and shall not lose much, but the selling is a farce; if the Ordinance is passed, not another farm will be sold during the next six months. Englishmen possess some of the best farms in the country, and Englishmen are the only speculators; therefore, Boers will get them at the sheriff’s sale at their own prices. You will also observe that it is to be at the President’s option to refuse to grant the Deed of Burghership should Englishmen be inclined to take the oath, and many are already named whom Boshof intends to refuse.

“We have signed a protest, and are getting it signed by all the Englishmen. We are determined to oppose peaceably and constitutionally while there is any use in constitutional opposition, but when that is of no avail, if the Colonial Government do not assist us, we are determined neither to swear the oath required, nor *allow* our property to be confiscated. I never will, while I have life, allow my land, worth £6000, to be alienated, and myself and family beggared, and so say all. I mean it; bloodshed and the horrors of civil war, and worse, will be heard of, and hereafter the Colonial Government will be reproached for compelling (by their apathy) Englishmen to take steps and do those things they would otherwise loathe and abhor.

“Farms are now worth nothing. I know of negotiations

having ceased for farms already in two or three instances. Moshesh has not yet delivered the demanded stock, as I thought, nor do I believe he will, and a war will doubtless be the consequence. No Englishman will serve the Free State against him in the present prospect, and many, I hear, talk of joining him. The result of such affairs to this unfortunate country I leave you to speculate upon. Our small number, and the fears of some, render us very weak, and it is only to such friends as you in the Colony that we can look for advice and assistance; may I crave the former from you?

“Had I only a house, or even a farm of moderate valuation, I would allow myself to be made a martyr of, lose it, and be banished the country, and trust to the Colony for redress, but if I am to lose my all I shall get a party at whatever cost, and do something desperate. Pray let me have your opinion of times and things as soon as you can spare time.

“Very faithfully yours,

“W. J. HALSE.”

The settlement of the German Legion caused a great deal of correspondence, and the manner in which it was arranged under the suggestions of Mr. Southey and by the management of Captain Mills (afterwards Sir Charles Mills) left nothing to be desired.

On the frontier there was constant unrest, and the following selected letters bearing reference to subjects of the period are of considerable interest:—

“*Private and Confidential.*”

“Colonial Office, 13th October, 1857.

“SIR,—Mr. Rawson, before leaving office, desired me to address you, requesting you will move His Honour the Lieutenant-Governor to learn from Mr. Commandant Currie whether, if required to do so, it would be in his power to capture the Chief Kreli. Mr. Currie should inform you in what manner he would, if called upon, propose to effect this object; when, and at what place, he could succeed in the attempt.

“You are requested to forward this information as quickly as possible to be submitted to the Governor, and I am directed



to impress upon you the absolute necessity of keeping this subject strictly private, with the knowledge only of the Lieutenant-Governor and Mr. Currie.

“I have, etc.,

“PERCY VIGORS,

“For the Colonial Secretary.”

“Inyani Camp, 19th October, 1857.

“MY DEAR SOUTHEY,—I have sent you a memo. I hope it is what you wished for ; if not, keep it until I come to town, which you will see by the official inside will be on Saturday next, but if you have sent me leave by post you need not show the enclosed official to the General, as it will only make him angry, but rather than remain here until he gets a reply to my memo from Cape Town, I *would resign*—unless there was something to do to make my peace with all parties. I *am coming*. I dare not put in the memo that I would catch Kreli and hand him over to you, but I firmly believe I can do so if you let me do as I like. The burghers are anxious to go in at him as well as myself, and this last patrol, from which I returned last night, pitched into Mr. Kreli, killed thirty-five of his people and captured forty-seven horses, without a casualty on our side, save a poor fellow of mine who was drowned crossing the Indwe. By-the-by, your brother Harry might have come to grief, but he shot his man and captured a rifle the fellow was pointing at him when he shot him right in the mouth, which, of course, was enough for him. The less said about this patrol the better. I shall report it, of course, and call it Fadana’s country, although there was devilish little of Fadana’s country in it ; but it is all the same, they are all alike—vagabonds. Kreli, I am told, is in a devil of a funk. He sticks close to John Crouch, the trader, who, I dare say, would bring him out with him when you issue orders for all traders and missionaries to make themselves scarce over there. The Queen’s Town district is very quiet, a few thefts committed by Anta’s people alone. I should like to put him to rights before I leave, that I may not be sent up here again. I brought out a lot of women and children (75), and sent them to Queen’s Town (Fadana’s people). Give my love to all, and tell them I shall see them all on Sunday at church.

“Yours very truly,

“W. CURRIE.”

*Private.*

“Colonial Office, 24th November, 1857.

“MY DEAR SIR,—I return you the enclosed letter from Mr. Currie. I forget whether you requested me to do so, but I wish not to keep it. The Members of Council were much shocked at Mr. Currie's cold-blooded, perhaps I ought rather to say hot-blooded, expressions, and you had better hint to Mr. Currie not to write to you on these subjects anything which he will not wish the Governor and Council to see.

“He is certainly an energetic, daring man, but unscrupulous and cruel, and very likely to lead the Government into trouble.

“Yours truly,

“RAWSON W. RAWSON.”

“R. Southey, Esq.”

“Colonial Office, 3rd November, 1857.

“MY DEAR SIR,—I have just obtained the Governor's decision on the subject of arresting Kreli, and can communicate it to you hurriedly by to-day's post.

“His Excellency is of opinion that in the present state of Kreli and his followers, and with the views expressed by Mr. Currie as to the measures necessary to ensure the arrest of the Chief, it is not expedient at present to do more than to adopt the best measures for the protection of the border districts, especially of the Albert Division, which has lately been chiefly exposed to the depredations of the marauding or starving Galekas.

“In haste,

“Yours very truly,

“RAWSON W. RAWSON.”

“R. Southey, Esq.”

“Cape Town, 28th July, 1859.

“MY DEAR SOUTHEY,—Busy as I am, I must write one line to thank you for your note of the 23rd. You were not more startled at my recall than I am, and you may guess that I feel deeply being separated from so many people I was attached to, and from so many objects which I earnestly desired to carry out, and had so nearly completed. In fact, at first the news pretty nearly broke my heart; now I am quite resigned to what God has pleased to allow to fall upon me. But the pang of separation has yet to come. I suppose that in a few days more I shall hear

who is to be my successor, and when I am to move. With my kind regards to Mrs. Southey and all old friends, including especially Currie, to whom show this note, telling him that I shall never forget all he has done here, and have still no doubt he will be rewarded.

“ Believe me,

“ Very truly yours,

“ G. GREY.”

Here follow several selected letters :—

“ 16th March, 1860.

“ To General Wynyard, Acting Governor.

“ MY DEAR GENERAL,—I was aware that you had urged upon the attention of H.M. Government the subject of the Transkeiar territory, etc., but I fear that they will not come to a decision until it is *forced* upon them, either by some direct and unauthorized act of the Governor and High Commissioner, or by a war involving a large Imperial expenditure.

“ Currie only returned last night. The matter for the most immediate consideration just now is the ‘German Military Settlers’ about to be deprived of pay, etc., and be thrown upon their own resources. Upon this subject I will write fully to Mr. Rawson by to-day’s post, so need not enter into it here.

“ In a former note I mentioned to your Excellency the large influx of Kafirs into Kama’s Location. Since then I have learned that the same has occurred in that of Sandilli, and that not only do Kafirs get admittance there when leaving this Colony, but that the Magistrate, Mr. Brownlee, has given passes to persons formerly of Buku’s tribe to bring their families, etc., from (as I understand) beyond the Bashee, and to locate them in British Kaffraria. And to add to the complication of affairs, I am informed that Kreli’s mother and his ‘great wife’ have been admitted to reside at Mr. Waters’ Mission Station (St. Mark’s), which is within that Chief’s late territory, and opens up to Kreli easy communication with the British Kaffrarian Kafirs, and the Queenstown Tambookies, without the interference of Currie’s Police, specially stationed in that locality to prevent mischief.

“ If I could persuade myself that the Church Missionaries,

who have gone in among the natives, were very judicious persons, I should conceive it to be impossible that Mr. Waters would admit Kreli's mother and wife without first referring to and obtaining the consent of H.M. High Commissioner, and although I should be of opinion that such consent ought not to be given, if Mr. Waters has obtained it he will have relieved himself from the responsibility.

“I ought perhaps to give some reason for my want of faith in the judicious qualifications of our missionaries. I will, therefore, say that not long ago I saw in an English newspaper that the Bishop of Grahamstown, in a speech delivered while in England, asserted that the Kafirs, since the ‘breaking up’ of their tribes, had become quite an altered people, that *vast* numbers had embraced Christianity, and very many were anxious to go forth and spread among their more unenlightened countrymen the glad tidings which they themselves had learnt (money only was needed to work miracles—this is my addition). When I saw this, which I knew or had good reason for believing to be very wide of the truth, I considered that the Bishop's words or meaning had been misrepresented; but in the very first sermon preached by him here after his return, he asserted almost the same thing word for word. This, of course, he believes to be correct, and he must have received information from some of his missionaries to that effect. When I hear this, and think that very lately, perhaps about the time the address was delivered, the Intongana was preached upon Mr. Waters' Station, and that he ‘settled’ the case himself, thus standing between the culprits and their punishment by the magistrate stationed in the country, I cannot help feeling that such actions are the result of mistaken views, and I lose confidence accordingly.

“If Colonel Maclean has not brought under your Excellency's notice what I have here alluded to, *i.e.* large increase of Kama's tribe, also Sandilli's, the admission by Mr. Brownlee of some of the late Buku's people from the eastward, and the settlement of Kreli's mother and great wife at St. Mark's, perhaps your Excellency will think it worth while to ask him whether there is truth in the report that such is the case.

“Currie's information accords with my own, and as our sources of information upon some of the subjects are different,

there is great probability that, though some things may be a little overdrawn, there are grounds for all the assertions.

“Your Excellency’s,

“Very faithfully,

“R. SOUTHEY.”

“20th March, 1860.

“MY DEAR GENERAL,—In continuation of my notes of native affairs, I may mention that, having been told that the Fingoes, and those of the Peddie District in particular, were in the habit of once or twice a week singing a new song, which caused a good deal of excitement among them, I wrote to the Superintendent, Mr. Tainton, requesting him to let me know all about it. His reply is enclosed. I do not think much of Mr. Tainton’s *opinion* in matters of this nature. And looking at its introduction or revival just now, I am disposed to attribute an object to it. I shall not fail to watch the progress of affairs, and to obtain information from various quarters. The person who first told me about this new song has promised to obtain the words for me. I do not think with Mr. Tainton that there are no words to it.

“The disarming of the Germans and the certainty of their quitting their locations will not improve Kafir matters. If Sandilli commits himself so as to justify the act, he should go to Robben Island to join his friends there.

“Your Excellency’s,

“Very faithfully,

“R. SOUTHEY.”

Mr. Rawson, the Secretary to Government, found it necessary to go to England in 1860. Writing to Mr. Southey on the 21st June of that year, General Wynyard says, “Poor Rawson, they certainly do badger his life out, and that too in a most unreasonable way; as I said before, £20,000 a year would not pay me or make me keep my temper.” The fiery Mr. Molteno and the extremely astute Saul Solomon gave him an immense deal of trouble. Large sums were in those days expended by Government, in addition to the amounts voted by Parliament, while there was no Public Accounts Committee, and the Auditor-General

possessed comparatively little power. But the great subject of heart-burning and controversy was "Responsible Government," in favour of which a definite resolution was moved by Mr. Molteno in 1860. On this occasion the much-trying Mr. Rawson, as well as Mr. Porter, the Attorney-General, declared their conviction that the present time was in theory and practice quite suitable for the introduction of this new system of Government. This opinion was not, however, shared by the majority of the Executive Council, or by Mr. Southey. At this time the Colony was undoubtedly heavily in debt, while the country suffered severely from drought, and the revenue was unequal to the expenditure. A cool, determined, unexcitable, and efficient man grasped the helm of State when, on Mr. Rawson going to England on leave in 1860, Mr. Southey took his place.

It was only in the year 1860 that the first electric telegraphs were opened in the Cape Colony, and it was on the 17th September of the same year that the first truck-load of stones for the Table Bay breakwater was tilted by Prince Alfred. The province of British Kaffraria remained separated from the Cape Colony until 1865, and then on its annexation a corresponding increase was made in the membership of both Houses of the Legislature. The revenue was comparatively small, and therefore the progress of the public works of the Colony bore proportion to its income. It was the day of small things. Wool was the great article of export, and came principally from the Eastern districts, ostrich-farming and the mohair industry were only beginning, while, with the exception of copper-mines in Namaqualand, no mineral treasures were known to exist.

Sir Philip Wodehouse, who succeeded Sir George Grey, was a most honourable, upright Conservative. Responsible government did not meet with his approval, and the abuses of Divisional Councils deserved his sharp animadversions. Outside of the Colony he had to mediate between Moshesh and the Orange Free State; but fortunately the distracted

condition of the South African Republic did not go so far as to require intervention. There Mr. Stephanus Schoeman, Acting President, raised an armed force to support his authority, upon which Commandant Paul Kruger called out the burghers of Rustenburg. Schoeman was expelled from Pretoria, and eventually defeated at Potchefstroom and forced to flee to the Orange Free State. There was another civil war in 1863, when Commandant Jan Viljoen took the lead; but Kruger, at the head of the Government, succeeded in defeating him. In 1864, Mr. W. Pretorius peacefully took the oath of office as President. Then came wars with the natives. The country was sparsely peopled by an ignorant class of Boers, who were constantly quarrelling among themselves, and the country was not a very favourable one for general agricultural operations. But the dawn of prosperity may be said to have become observable when, in December, 1867, a German explorer named Carl Mauch arrived at Pretoria from Matabeleland, reporting that he had discovered rich and extensive goldfields.

It was in 1866, on a lonely farm in a dreary part of South Africa, that the first diamond was found; but not until June, 1871, that the richest mine the world had ever known was discovered in the dry diggings at Voruitzigt, in the place now known as Kimberley. Mineral treasures have thoroughly revolutionized South Africa, and the peaceful, calm times before their advent—the sixties—was very different indeed from the exciting, speculating, “advanced” period which covered the latter portion of the century. Mr. Southey, although naturally liberal in his treatment of all men, was undoubtedly conservative in his ideas and tendencies. The military tradition of obedience and loyalty were firmly imprinted on his heart, and, with industry, intelligence, and thorough knowledge of the Colony, he became a most trusted and invaluable adviser, both to the Governors who ruled during his term of office and the Parliament of the Colony.

The letters of Lieut.-General Wynyard are numerous, and, in many cases, nearly undecipherable because of the General writing an exceedingly bad hand. They always appear to have been written in a very hurried and careless manner. He had at one time what he styles a "Lilliputian Farm;" and the references to his pigs, the Tambookies, insufficient troops, and the settlement of the German legion are very confusing. He discusses frontier matters, expresses great fear both of Tambookies and Fingoes—as he trusts neither—and does not look hopefully upon the future of the German Military Settlement in Kaffraria. He writes on the 12th May, 1860—

"Sir George will be here in a few days, and on his heels will arrive Prince Alfred, who will, while here, *i.e.* at the Cape, visit Port Elizabeth and Grahamstown. You might quietly give Graham a hint."

It is noticeable that he held the highest opinion of Mr. Southey. In writing to the Horse Guards recommending that a commission in the Cape Mounted Rifles should be given to Mr. Southey's son, he says—

"The unassuming but faithful detail of Mr. Southey's services on every occasion when he could in any way assist the Government, the satisfactory manner in which his Colonial duties have invariably been performed, and the estimation in which he is held, not only by the Governor-in-Chief, but by the community at large, all encourage me to make this appeal."

We shall see, from subsequent correspondence, how much Mr. Southey's efforts were appreciated in connection with the visit of the Duke of Edinburgh at a later date. When writing about business in Parliament, General Wynyard is lost in admiration of Mr. Rawson's hard work, and praises his fortitude in bearing the furious attacks of the Responsible Government party.

The following extracts from Mr. Rawson's letters throw light on persons and events of the day :—



“Colonial Office, 30th July, 1860.

“MY DEAR SOUTHEY,—At an Executive Council held this morning, it was formally decided and recorded that you are to act for me during my absence in England, and that I might leave by the first opportunity that offers. Sir G. did not say anything about your coming up at once, and I had no time to ask him. It was a hurried meeting, with the Prince present, just before their departure for the Paarl. It is evident, however, that Sir G. wishes to meet you at Grahamstown, and that he will arrange with you there when you shall come up.

“I have nearly cleared off Parliamentary work, and shall endeavour to complete this before I leave. If not, I will leave everything in train for you. I shall, happily, not leave you in the distress for money from which I have been suffering for months past.

“The party return to town on Wednesday, and start on Thursday in the *Euryalus* for Algoa Bay. They will go to Natal if nothing unexpected hinders, and return here as early as possible in September.

“Ever yours truly,

“RAWSON W. RAWSON.”

“At Sea, 27th August, 1860.

“MY DEAR SOUTHEY,—

\* \* \* \* \*

“Porter impressed me to a dinner at his house on the day before I left Cape Town, and I was obliged on my arrival at home that evening to sit up to 4 a.m. to clear off my papers, and pack up for my early morning start from Claremont.

\* \* \* \* \*

“Layard \* is a capital fellow. He has kept all my private correspondence, and I believe is perfectly safe, although a great chatterer about other things. I have allowed him great liberty as the Curator of the Museum, and the others do not complain.

“Judge, Collard, English, senr., and Hall are excellent, so also is Elliott. Be kind to Todd; he is the son of one of my oldest friends.

\* \* \* \* \*

\* The author of a work on the “Birds of South Africa,” and brother of “Nineveh Layard.”

“Porter and Rivers will let you know what has been done, and intended, in the matter of finance and drawing money from England. After you get £20,000 in September, I should hope £10,000 a month will suffice.

“Try and pay back the £10,000 which we owe to the Commissariat as soon as you can. The proceeds of recent land sales will help you to do this. The Master may be satisfied with Crown Land bonds for the repayment of his debt. Make De Smidt press the sending up of these bonds.

“In the matter of gaols and railway, Scott-Tucker and Bell respectively can tell you what has been done and intended. The correspondence on the ballast question has been printed. That of the site of the Cape Town station has to be settled. Try and arrange this with Sir George when he comes back. The permanent station would be best at the root of the central jetty, and as there must be a communication between the new breakwater and docks and the railway, the new ground required there and behind the shambles and Commissariat might be made at once, or as soon as possible.

“Brounger is a well-intentioned but very cranky and timid person, difficult to deal with. His letters about the ballast will open his character to you. Pickering, the contractor, appears very open and manageable, but is very deep and slippery. Beware of him.

“You will find Scott-Tucker a very pleasant fellow-labourer—very quick and ready, but not thrifty.

\* \* \* \* \*

“I have given Vigors a mem. of the several Civil Commissioners who are anxious for promotion or exchange for your information. But they will probably all write to you themselves. Judge, in your office, looks for early promotion. Fry, too, *needs* it, as Judge Bell may cast him adrift at any time.

“I believe there is only one disagreeable matter which I leave for you to settle; that is, the materials for the Sunday’s River bridge, which I ordered in England last year without any definite estimate. Tucker said it might cost about £8000. It appears, however, that it may cost twice that sum, and the question of this would cost us much time. The bridge could not be completed under £25,000 or £30,000. I have therefore stopped the order; and if the materials cannot be disposed of in

England, we may have to forfeit some £2000 or £3000 to the contractor. Tucker will tell you all about it. This is far preferable to going on with the work. A bridge at Tunbridges will cost half the money, and will serve for the Zuurberg as well as Grahamstown line; and if a railway or tramway be carried to or near Grahamstown, that will render any bridge on the lower line unnecessary. I did not say anything about it in Parliament last session, because I hoped that Pickering would take the materials off our hands, in which case our outlay will be very trifling—only the fee to the engineer employed to prepare drawings and order the materials. I shall see Mr. Julyan \* about the matter on my arrival.

“There is a Mr. Wollaston whom I recommend to your notice. Sir G. Grey is also interested in him. He is great in telegraphs and a good engineer. I have arranged with Tucker to give him temporary employment, for which he has been waiting a long time.

“I do not at present recollect anything else. You will find Sir G. Grey an altered person—uninterested in anything but his own misery. I never troubled him with anything I could settle myself, or I thought he would not like me to settle without speaking to him. This was the same for some months before he left for England, when he was full of his recall.

“Adieu. I shall probably prepare a chapter of notes taken during the session, which I have not had time to write off, and may occupy part of my idle time on board with them.

\* \* \* \* \*

“Believe me,

“Ever yours truly,

“RAWSON W. RAWSON.”

“Caithward, Co. Down, 1st November, 1860.

“MY DEAR SOUTHEY,—

\* \* \* \* \*

“I am glad to hear that everything went off so well on the occasion of Prince Alfred's last visit to Cape Town. I have sat down half a dozen times to read the *Argus* account of his progress, but the engagements and interruptions in a country

\* The Crown Agent for the Colonies.

house are innumerable, and I have not got beyond Warner and the Tambookies.

“We are all flourishing, very happy, as you may suppose, meeting a host of relations scattered through this country.

\* \* \* \* \*

“Tell Mrs. Southey, with our united kind remembrances, that I was much amused to-day at hearing the bodyguard of ladies at Grahamstown referred to as one of the chief notabilities of the Prince’s visit to the Cape.

“Let me know if there is anything I can do for you in England.

\* \* \* \* \*

“Ever yours truly,

“RAWSON W. RAWSON.”

“Killinchy, 31st December, 1860.

“MY DEAR SOUTHEY,—

\* \* \* \* \*

“Your account of the state of the Cape Exchequer is unsatisfactory. I had hoped that with the money obtained from England, and with the Revenue in most branches flourishing, the Treasurer would have been more at his ease. The expenditure will exceed the estimates on account of payments under Acts of Parliament, for which provision has been made in the Loan Account (Act) of last session. But you are doubtless right in keeping down expenditure in every possible way. We must try to square expenditure with income, though by what process without cramping public works I know not, if the good people will have no increase of taxation.

“Tucker ought to be very careful. If there is anything wrong in his department before next session the violence of the last will be renewed. Try and reduce the establishment at headquarters. This was the *cheval de bataille* against us last session. I am surprised to hear that he regrets not being connected with the railways, he was so anxious to be relieved of it from the very commencement, and certainly Bell has been able to do a great deal which, I think, Tucker would never have had the patience and the local experience to effect. I am also surprised to hear that Tucker has no recollection of what was proposed with regard to Wollaston. He was to have selected

the line for the telegraph to Grahamstown, to ascertain the materials available *en route*, and to have inspected and reported on the Kowie Harbour Works. But it is now too late. I am sorry that a good man, as I believe Wollaston to be, has not obtained employment under the Government.

“Believe me,

“Yours very truly,

“RAWSON W. RAWSON.”

Mr. Southey narrowly escaped drowning. Mr. Carlisle (Deputy-Sheriff, Grahamstown) says—

“3rd January, 1861.

“What an escape you have all had! It reads like a story in a novel. Most providential was it that the ladies did not accompany the gentlemen in your apparently frail bark. . . . But remember, my good friend, that Acting Colonial Secretaries do not abound in this country just now.”

Sir George Grey writes—

“George, 1st January, 1861.

“MY DEAR SOUTHEY,—Many happy returns of the New Year to yourself and Mrs. Southey. I write to congratulate you upon your wonderful escape, and the cool courage and presence of mind which you showed. Poor Mrs. Southey must have suffered dreadfully until you were safe. I have no news to give you here. No further letters of importance have reached me. I sent you up all the despatches. I have no ink that I can write with.

“Truly yours,

“G. GREY.”

It may be interesting to give a full account of the escape from drowning which occurred at Zeekoe Vlei on the Cape Flats, where Mr. Dumbleton, who then lived at Wynberg, had a boat for duck-shooting, which capsized in a squall, when every one in it had a narrow escape. It was during a picnic, and the ladies were on shore not far from the scene of the disaster, but the wind and roughness of the water made it impossible to swim in their direction. The

boat was completely submerged, leaving, however, about four feet of mast above water. The party consisted of Mr. Dumbleton and his son, a mere lad, Mr. Southey and two sons (R. G., now Colonel Southey, and Juan Southey, a boy of ten), as well as Messrs. C. J. and H. Barry. Fortunately all could swim. Dumbleton took in the seriousness of the situation at a glance, and helped his son to get to the mast. He then exchanged a few words with Mr. Southey, and at once struck out to leeward, although nearly the whole breadth of the lake had to be crossed. Mr. Southey then took charge of the remainder of the party; the two small boys were put on to the mast, while the others were directed to swim about. Two at a time were permitted to rest against the wreck, while instructed to lower their bodies in the water to the utmost, so as to avoid putting too much strain on the mast.

The party watched Dumbleton's progress with very deep anxiety, and their relief may be imagined when they eventually saw him touch ground and wade towards the shore. Their trouble, however, was not yet over, for after landing he had to cross over to Ronde Vlei, and with the assistance of a couple of the cart-drivers carry his very small dingey over to windward of the wreck, and then begin the rescue. The boat was so small and the wind so high that after the first trip with the two boys Dumbleton could only take one at a time. Mr. Southey was the last to leave the wreck, and it was undoubtedly due to his coolness in directing operations that the party escaped drowning—the time from the capsizing of the boat to the last trip of the dingey having occupied over two hours.

The plight the gentlemen were in after landing was ludicrous. To enable them to swim freely they had been obliged to divest themselves of nearly all their garments. Mr. Barry's (afterwards Sir Jacob Barry) costume consisted of his tall hat and an eye-glass, which he had stuck to throughout. Colonel Southey assumed the *rôle* of a white

Kafir, with a carriage-rug as a kaross, and the remainder of the party had to be content with such garments as the ladies were kind enough to divest themselves of for their accommodation. In this manner the picnic party returned to Mr. Dumbleton's residence, where that gentleman's wardrobe was freely drawn upon, regardless of fit, and a particularly merry evening was subsequently spent.

“ St. Augustine's, Hurst Green, 2nd July, 1861.

“ MY DEAR SOUTHEY,—

\* \* \* \* \*

“ I thank you for writing me at so much length while your hands are full with Parliamentary business. You do not describe your experience of the Houses, but as they seem very well pleased with you I hope you are equally so with them. Adamson has sent me the votes and debates. There does not appear to have been anything very stormy in either House up to the departure of the mail. Finance is obviously the source of real difficulty. Separation, as proposed by Harries' bill, is a humbug, and he must see it. Its rejection will serve as another grievance to keep agitation alive, and Dr. Way salaried for another period, long or short. Who could have been rash enough to expect a Pote or Franklin to surrender their own opinion if they stood among thousands of Solons or Solomons (not he of the printing office), and I confess that I should have an *à priori* objection to support any bill proposed by a Painter (painter I was going to write) and supported by a Slater. I had some hope that Sir G. Grey, who seemed to think most of the Eastern Province, and to consider that it did not get justice from the Western Members, both of Parliament and Executive, might have struck out, and suggested some feasible plan of separation. I really do not expect anything from the Members of the Somerset Convention, or any such.

“ I cannot say that I disagree with you in respect of the view you take of the Constitution ordinance, and the position of the affairs of the Executive Government under it. The Parliament was intended to legislate, and therefore to initiate legislation. But they may fairly ask how can they be expected to do it?

“ If your experiment with the Finance Committee succeeds—and I hope it will—I shall be very glad. It will save me and my successor anxiety of one kind, though whether it will not involve us in a fresh anxiety equally harassing is doubtful. I like the selection of your Committee, and hope you will be able to get them to work steadily. You write cheerfully of your prospects in it. I shall be impatient to receive your next letters. My only regret is that this burden should have fallen upon you, and not upon me. Many thanks to you and Porter for your defence of me. Of course I was prepared for plenty of abuse. The Parliament would not be disposed to take its share of blame, and the Government share must fall on me. But, as far as I have read, I have got off tolerably well. Wicht and De Wet will doubtless open a battery of 64-pounders on me. If they did but know how little they disturb my peace!

“ I read through your statement upon moving for the Finance Committee last night. I do not quite understand how you make out a deficit of £200,000, but if you are into them for a penny it may as well be for a pound. And it will be a great comfort not to be pinched for ways and means, as we have been for the last two years.

“ How could you afford to lose Vigor’s services in the Executive Council? Has De Smidt buckled on his armour, or rather unbuckled his backbone, and laid himself to the oars with a will? I am sorry to hear from Porter that there is no chance of a Sheriff being appointed, and therefore none of a transfer which might provide for him.

“ I rejoice at the safe arrival of the *Waldensian*. I hope there is some vessel to replace her while she is under repair. The steamers on the coast are a great comfort. I wish it were within our means to have a second to England *viâ* Pt. Elizabeth and Mauritius.

“ I met John Barry lately. He looks very well. I called on Joseph B., and he on me, but we missed one another. I did not see Robinson. The Duke of Newcastle told me lately that he did not intend to be in a hurry in nominating Sir G. Grey’s successor, so you are likely to have Wynyard as your chief for some time. I am to dine with the Duke on the 10th inst., to celebrate the Queen’s birthday. Both he and Mr. Fortescue were



very civil. They seem to be afraid of responsible Government for the Colony, but to be prepared to grant it whenever asked for. There is a rumour of the Duke being about to marry the Princess Mary, but it is scarcely probable. The Queen has been much upset by the death of the Duchess of Kent. I have not seen any one who was at the late drawing-room, but I hear that the second one will not be held, and there will be no more levees. I believe it is true that the Queen is *enceinte*. The Prince of Wales has gone over to Ireland.

"I wonder how Sir G. will get away from the Cape? He will scarcely find a convenient direct opportunity. His appointment to New Zealand appears to have given general satisfaction.

"Remember me very kindly to Mrs. Southey,

"And believe me,

"Yours ever truly,

"RAWSON W. RAWSON."

"Bangor, Co. Down, 2nd September, 1861.

"MY DEAR SOUTHEY,

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"I do not know much of the detail of the preceding month's doings in Parliament except from your letter. I congratulate you upon having got so much *out of* the Assembly. If you have as good fortune with the Council, I trust there will be a comfortable feather bed for the new Governor to lie upon. You will hear of the appointment of Mr. Wodehouse. I think that he and Mrs. W. will be much liked at the Cape. He has no children, and she likes society, and will, I should expect, avoid the exclusiveness of her predecessor. I met them both some years ago, and, if they are not changed, it will be pleasant to meet them again in our new relations. He was at the Duke of Newcastle's birthday dinner before his nomination to the Cape, and I had a good deal of conversation with him then.

"Yours, etc.,

"RAWSON W. RAWSON."

In a letter dated 4th October, 1861, Mr. Rawson says—

"You may well say, what shall we do when Porter leaves? Who can replace him? Alas! I repeat this daily to myself. If

we could unbench E. B. Watermeyer,\* he might do, if he could bring himself to work with irresponsible colleagues, etc. By the way, I have heard lately from Molteno. He is in Edinburgh, where his wife has been confined. He is going abroad."

\* A distinguished judge of the Supreme Court, who died at a comparatively early age.

## CHAPTER VI.

The Colonial Parliament of 1861—The Acting Colonial Secretary's success—  
Letters from Sir G. Grey and Commandant Currie—Arrival of Sir P. E.  
Wodehouse—Letters from Sir John Cowell—Land laws—Letters from  
Sir P. E. Wodehouse—The dispute with Moshesh—Letters from Sir  
John Barrow—Mr. Southey appointed permanently to be Colonial  
Secretary—Politics of the day—The Session of 1865—Visit of Prince  
Alfred—Sessions of 1866-7-8.

THE Session of the Colonial Parliament opened in 1861 on the 26th April, and in the Governor's speech there was for the first time an announcement of financial difficulties. The revenue certainly had continued to increase, but so had the expenditure, and in a greater degree. The other leading subjects of the day were the demand for "separation" by the people of the Eastern Province, and that of "Responsible Government" by the strong party of whom Mr. Molteno was the head.\* The extension of British influence over a considerable part of the country between the Kei and Natal was also one of the important subjects under consideration. Motions were defeated in favour of separation and "Removal of the seat of Government." When the Estimates were brought forward, Mr. Southey gave great satisfaction by his Budget speech. Writing of this, General Wynyard said—

"It is far the best and most straightforward thing of the kind I have seen for many days. It is clear and comprehensive. They expected too much of Rawson. He, on the other hand, was too ready to do everything for them."

\* For full details of Mr. Molteno's policy and political career, see *The Life and Times of Sir John Charles Molteno*, by P. A. Molteno. London: Smith, Elder & Co., 1900.

Mr. A. G. Bain writes—

“Allow me to congratulate you upon the happy and triumphant manner in which you have got through your most arduous and very difficult duties of Chancellor of the Exchequer. You have taken us all by surprise, and every one on the frontier is loud in your praise, while the Colonial Press is in your favour.”

Fair financial arrangements were agreed to by Parliament. In fact, the Acting Colonial Secretary, by means of industry, tact, and moderation, became a complete success. He was, above all things, a straightforward, capable business man, applying his common sense to the tasks of legislation and of Executive Government. In a despatch to the Duke of Newcastle, dated 14th August, 1861, Sir George Grey reports that “Mr. Southey conducted the Government business throughout the entire Session with very marked ability, and great moderation, coolness, and temper.” Parliament was prorogued on the 14th August, 1861, and the day afterwards Sir George Grey left the shores of South Africa for New Zealand. Shortly after his arrival there, he wrote the following note to Mr. Southey:—

“Government House, Auckland, 20th October, 1861.

“MY DEAR SOUTHEY,—I have written a long letter to Porter, who will tell you all the news, but I cannot help writing you a few lines to say how fresh in my memory are the good and faithful services you have rendered in South Africa. I hope matters will go well here. It is not yet quite certain that such will be the case, but I have good hopes.

“My kindest regards to Mrs. Southey and your children.

“Believe me, dear Southey,

“Very truly yours,

“G. GREY.”

At this stage it seems desirable briefly to review the career of this great Governor in South Africa.

Sir George Grey was a Julius Cæsar among Governors, but a dictator of ability and rectitude was required in the Cape Colony, and His Excellency admirably performed the

part. By means of his wisdom, a native war was averted, a sound native policy originated, German immigrants introduced, and five thousand troops sent from South Africa to aid the Indian Government at the time of the Mutiny. Everything he did seemed to meet the approval both of Her Majesty's Government and of the people of the Cape Colony.

However, in February, 1858, a new Imperial Ministry came into power, and Lord Stanley, the Colonial Secretary, informed Sir George Grey that the annual grant for British Kaffraria would be reduced from £40,000 to £20,000. As the biographers of this Governor tell us—

“Almost denuded of troops, with 40,000 strange Kafirs just brought within its boundaries, dependent for the peace of the country upon the smoothness and regularity with which the functions of Government could be carried on, the representative of the Crown, and the sole governing power of Kaffraria, was informed by the Imperial Government in June that his supplies for the year were already spent, and he could receive no more.”\*

The announcement that he was to make bricks without straw, or, in other words, do what was impossible, came upon the great Viceroy like a thunder-clap. He had certainly deserved better of his country. Important treaties with salaried native chiefs could not be carried out, and the fatuity of Downing Street was never better exemplified than in thwarting the policy of the best and most able administrator South Africa had ever known. To save British Kaffraria, Sir George Grey paid into its treasury £6000 of his own private money. The most earnest remonstrances possible were made to England, and every effort used to show the Home Government its mistake.

The Sovereignty had become “The Orange Free State,” and fiercely warred with the Basutos under Moshesh. Sir George Grey successfully mediated between the combatants, made peace, and arranged boundaries. In spite of all his

\* *Life and Times of Sir George Grey*, by W. L. Rees & L. Rees. London, 1892.

great services, the Governor was evidently not a *persona grata* in the estimation of Lord Stanley and Sir E. B. Lytton. Lord Carnarvon, the political Under-Secretary, seemed particularly opposed to Sir George Grey. The views of Mr. Southey and the Governor were identical, and the latter, in despatches, clearly points out that the opinions which had been formed in England regarding the Cape and its people were altogether opposed to the facts. As the biographers of Sir George Grey correctly say—

“Had such reports been true, had the people been rebels unscrupulous and greedy, had the country been a waterless desert, and useless to Great Britain save for the possession of two harbours, then the policy of dismemberment, which had already been commenced by the abandonment of the Orange Free State, would have been good and sufficient. But the Governor consistently affirmed that the opinions which had been formed in England regarding the Cape and its people, the land of South Africa and its various inhabitants, were altogether opposed to the facts.”\*

On the 5th May, 1859, the Home Government expressed its dissatisfaction at Sir George Grey having brought before the Colonial Parliament the question of a federation of South African countries, and on 4th June, 1859, Sir E. B. Lytton commanded him to surrender the Government and to return to England. There was immense indignation throughout South Africa at the recall of a man who had secured peace and good government by five years of good administration. Mr. Southey, with other leading men, felt exceedingly aggrieved that the hopes of future prosperity, based upon a wise and firm policy, should be ruthlessly and foolishly swept away. But, in Lord Carnarvon's words, Sir George Grey was “a dangerous man, who must be got rid of.” The whole people of South Africa, however—Dutch, English, and natives—rose in expostulation, and the result of their universal

\* *The Life and Times of Sir George Grey, K.C.B.*, by W. L. Rees & L. Rees (London, 1892), vol. ii. p. 277.

prayer was successful. Lord Derby's ministry resigned, and the new Ministry at once reappointed Sir George Grey. The Duke of Newcastle, however, took care to announce that, while giving every credit to the Governor for patriotism, wisdom, and foresight, the Cabinet could not in any way agree to a confederation of South African States.

Early in 1860, Sir George Grey returned to Cape Town, and in this year had the pleasure of welcoming the Sailor Prince (Alfred) to the Colony. Mr. Southey materially assisted in making the visit extremely successful, and, as a first-rate sportsman, was able to arrange satisfactorily for the great Knysna elephant-hunt. Within twelve months of the visit of the son of the Queen to South Africa, Sir George Grey was informed by the Imperial Government that his presence was earnestly required in New Zealand, and he promptly obeyed the call. For eight years he had governed the Cape Colony. In his time numerous hospitals and colleges were established, the Table Bay breakwater commenced, the first sod of the first railway turned, and, above all things, salutary reforms instituted in the conduct of native affairs. The plan of Sir George Grey was—

“to gain an influence over all the tribes inhabiting the borders of the Colony, through British Kaffraria eastward to Natal, by employing them on public works, opening up the country by establishing institutions for the education of their children and the relief of their sick, by introducing amongst them laws and regulations suited to their condition, and by these and other means gradually winning them to Christianity and civilization, thus changing by degrees your apparently irreconcilable foes into friends having common interests with yourselves.”

No form of Government could have been more congenial to Sir George Grey than that of the Cape, where he ruled supreme, without being trammelled by responsible Government tactics, or indeed any species of Parliamentary opposition. The members of the Executive Council had merely to

do as they were told, and as the dictator was wise, the Government of the country was successful.

From the Camp near Bashee, on the 9th November, 1861, Commandant Currie writes—

“MY DEAR SOUTHEY,—I have written a long official for the purpose of your getting the new Governor to take this country up as soon as possible. Kreli has made another damnable mistake, and brought famine on his people again before he could go in at us, and this is a fine opportunity for us to take advantage, occupy, and manage a country which the niggers won't do for themselves. Don't you send us any orders to feed the beggars, and we shall not have so many to fight next time. You may be sure I wish them all the good in the world, but I also wish them all dead. I wish you to send me a commission to act as a J.P. beyond the boundary.

“I do not expect to remain longer than another fortnight here. By that time I hope to leave everything in good order, and Kreli's people starved to death. I have not seen Joey yet. I believe he fancies I am going to do great things for him. I send you a note just received from Chalmers. Kreli, supposing I am going to march into his country, is trying the old Kafir dodge, getting his cattle out of the way. He certainly is sending them into the lion's mouth; we shall not take the trouble to return them. I never told him I was going into his country, but I suppose a guilty conscience wants no accuser. He is in a mortal funk; he has no back country to fly to, and, if we did attack him, his only safety would be this way along the sea coast between the Bashee and Kei. I have sent down to see if any tracks of cattle have come through lower down, and, if so, shall be after them sharp. But if we want to polish him off for ever we must wait for about six weeks longer, and he, with the whole of the population between the Bashee and the Umtata, will have fairly eaten themselves up. Famine is playing the devil already; they have not a grain of corn, and their cattle are dying with hunger. Their crops, such as they have, will not be fit for use before March next; they must break up at once and scatter, or perish in a heap. We are keeping the best look-out not to let them come this way, but starving devils are devils indeed, and it will



be difficult to stop them. I enclose you a 'Pass' for your information, showing what a set of muffs our magistrates are, and how unfit to carry out the laws entrusted to them. This pass is given to a Kafir by Fichat—fourteen days to seek service—and he quietly gets every magistrate on his line of march to give fourteen days more, until he reaches Kafirland, where he turns up with four horses at last. He should have been put on the roads by every one who signed his pass. Now I should say that those who signed the pass should serve on the roads for not doing their duty. I dare say you can give them a rub up for it. It is raining like blazes just now, just the right sort of thing to polish off the hungry Kafir. Can't you write a little oftener now that there is no Parliament?

“With love to your wife, and Dick, and baby,

“Yours truly,

“W. CURRIE.”

The new Governor, Sir P. E. Wodehouse, arrived in the Colony on the 5th January, 1862.

On the 7th December, 1861, a despatch was sent to the Secretary of State recommending Mr. Southey for the post of Treasurer and Accountant-General of the Colony, rendered vacant by the death of Mr. Harry Rivers. In fact, subject to Her Majesty's approval, he had already been appointed to act. Very high praise is accorded to Mr. Southey for the excellent manner in which he had performed the duties of Acting-Colonial Secretary.

A comparatively calm, quiet epoch in Mr. Southey's life now arrived. Of course, as a Member of the Executive Council, he participated in the councils of Government, and, administering a large and important department, did his share of executive work. But in 1864, when the much-tried and indomitable Mr. Rawson retired, Mr. Southey very naturally and most deservedly received the permanent appointment of Colonial Secretary of the Colony, which he held until the advent of responsible Government required him to retire on a pension in the year 1872.

There is a good deal of correspondence about a despatch

reinstating Mr. Southey, which was missing from the records, and (as Mr. Southey says, writing to Sir John Barrow in 1862)—

“eventually found crumpled up and lying among a lot of Parliamentary Blue-books and other printed papers. It had the appearance of waste paper. On examination, I find that it has never been bound up with the others, and I conclude, therefore, that both it and that about the Road Board (No. 90 of 1853) must have been intentionally kept by Lieutenant-Governor Darling.”

Among the letters of the year 1862 is the copy of one from Mr. Southey addressed “My dear Innes,” and dated 31st January. In this he says—

“I was applied to yesterday by a person named Klersk, a perfect stranger to me, but who said he was in the employ of Cauvin, the auctioneer, to present to Mr. de Roubaix, on behalf of the inhabitants of Riversdale, certain articles of plated ware, which he had, at the request of Mr. Theunissen, purchased at De Pass’ sale for that purpose, since which a suitable inscription had been engraved upon the articles. The people of Riversdale were very anxious that the presentation should take place on Mr. de Roubaix’s birthday, the 1st February. I regretted that I should at all stand in the way of their wishes being realized, but felt compelled to decline to act under existing circumstances, and so the matter ended as far as I was concerned.

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“Get Mr. Fairbairn, your Member of the Assembly, to perform the duty.

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“I never regarded Mr. de Roubaix’s public services as anything more than the ordinary run of such services rendered by other people; but if it were otherwise up to the last session of Parliament, I should regard his participation then in the refusal to vote the £10,000 Colonial allowance for H.M. Troops as cancelling his previous claims.”

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As we have seen, Mr. Southey took an active part in receiving and entertaining Prince Albert, and the following interesting letters from Sir John Cowell were a sequel to the Duke of Edinburgh's visit to the colony—

“H.M.S. *St. George*, Spithead, 2nd October, 1862.

“MY DEAR SIR,—Accept my best thanks for your kind letter of the 14th August, which I received, together with the newspapers which you sent me, a few days ago.

“The accounts given in these papers of the rejoicings at Port Elizabeth on Prince Alfred's birthday have been read by him and others with much interest, and he has asked me to request that you will have the kindness to express to the Proprietor (Mr. Impey) of the *Port Elizabeth Herald* how sensible His Royal Highness is of his attention.

“The papers which we receive from the Cape from time to time are always perused with attention, and I rejoice with the Prince to see how steady the progress is. At times, as at present, unhappily, checks must be anticipated, but with the spirit evinced by all the Colonies in South Africa success is certain, and nothing could be more conducive to this than the system of railways, which is now being considered, and with them telegraphic communication. I was sorry to see that the rains had done so much damage, but could not believe that the railways had suffered to the extent of £50,000, and was glad to be assured of the facts by the engineer who contradicted the statement in the *Times*.

“It is very gratifying to see how strong the feeling of loyalty is in all our Colonies. They have often given proof of this, but recent events have, if possible, strengthened this sentiment, and sooner or later it will be an immense element of power.”

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“H.M.S. *Raccoon*, off Aberdeen, 1st July, 1863.

“MY DEAR SIR,—I had great pleasure in receiving your kind letter of the 30th of May, and in transmitting the newspapers which accompanied it to Prince Alfred. They were read, I can assure you, with great interest, and I am sure that the Prince of Wales must have been gratified by what I must call the remarkable feeling of loyalty and affection which was

displayed in South Africa on the day of the celebration of his marriage. It is only by such demonstrations as these that we can estimate the love of our Colonies towards the mother country, and it is a source of just pride to every subject of the Queen when we see the spirit by which *all* are animated on such an occasion as this.

“I have had the pleasure lately, with Prince Alfred, of seeing Mr. and Mrs. Van der Byl, and of talking over those happy days at the Cape.”

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“Balmoral, 2nd October, 1863.

“MY DEAR MR. SOUTHEY,—Prince Alfred is very sensible of the kind recollections which all in South Africa retain of him. He had the pleasure of seeing General and Mrs. Wynyard soon after our return from Germany; but I was sorry to see that he could not move about as formerly, and to observe a marked change in his appearance. I fear that the sad intelligence which this mail has brought him will throw him still further back.

“It is some time since I saw Mr. and Mrs. Van der Byl, but I look forward to meeting them again at Christmas, when I hope to be in London. They were very much pleased to see Prince Alfred, and I can assure you that they welcomed him to a very handsome house, well suited to their hospitality.

“We have all read with particular interest the account of the *Alabama's* doings at the Cape. I rather think that we in England were prepared for such a visit from rumours of her going to India, but we did not contemplate your having such a spectacle from Cape Town.

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“I am most happy to hear that the Colony is recovering from the effects of the drought, and in time to raise the spirits of the farmers, who have been depressed for some time. I can fancy how pleased the good people of Grahamstown must be at the prospect of having the Parliament to meet there, and if this should really take place, I hope that all parties will be reconciled to a measure which has a precedent in Canada, and which appears to be based upon the fairest principles. Time, no doubt, will work greater changes still, and you may some day have the seat of Government in a more central position than either, with

Table and Algoa Bays for its ports ; but that will not be in our time.

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“In closing this, Prince Alfred desires to be remembered to you.

“ And believe me,

“ Yours very truly,

“ J. C. COWELL.

“ P.S.—Prince Alfred desires me to request that you will convey his acknowledgments to Mr. Impey for his attention in forwarding him the impressions of the *Eastern Province Herald* of the 7th August. He has read the account of the celebration of his birthday with great pleasure, and is most sensible of the kind feelings retained towards him.”

There is a touching letter from General Wynyard, the Lieutenant-Governor, in which he says, “Should I have to open Parliament, for goodness sake *take down* everything you think should be referred to in the opening address, and ask Mr. Porter to do the same.” Among other letters there is one from the great Dr. Livingstone on the Zambesi, reporting not progress, but want of progress, as he was detained for a lengthy period, and was seriously anxious about the health of Miss Mackenzie, who was travelling into the interior to meet her brother, Bishop Mackenzie.

Land grants in the Beaufort West Division in connection with the name of Sir John Molteno became a subject of public debate. The following letter was written to Sir P. E. Wodehouse by Mr. Southey:—

“ 5th November, 1862.

“ MY DEAR SIR PHILIP,—I have looked over the memoranda which you were good enough to send me with your Excellency’s note of 27th ult., and I have put my notions thereon in the shape of a memo, which I will send herewith.

“ I quite concur in the views entertained by Bell and Denyssen, and I could not regard it otherwise than as a serious mistake if the Government were to initiate a measure calculated

to deprive itself of the Crown property. I do not think there would be found in Parliament more than a very small minority (composed of interested parties) who would entertain such a proposition. A considerable majority in both Houses are, in my opinion, prepared to adopt an act which shall put an end to the Land Beacons Act at the expiration of the term for which the Act of last session was passed—of course, all things done lawfully under either of the two Acts remaining good.

“To persons like myself, who have lived many years in this Colony, and had familiar experience in land matters, the rules and regulations applicable to Crown lands appear clear and definite, and it would be very difficult to persuade me that any one purchasing a farm can be misled as to its extent and limits to any great extent.

“The Government of this Colony has at all times been very liberal in its treatment of claims for land. I have often considered that the Surveyor-General erred on the side of liberality, altho’ I myself should not object to add to a farm a little, so as to include a spring of water or a pool, or a piece of arable land that the owner had believed to be his own; but the outrageous Salt River re-survey is too glaring an attempt at spoliation to be entertained.

“Very truly yours,

“R. SOUTHEY.

“*Memo.*

“I should be extremely sorry to see a rule established such as is contemplated by the memo of H.E. the Governor of the 16th October, 1862, on the above subject, by means of which unscrupulous individuals might obtain title to large extents of Crown lands, never granted, or intended to be granted, by the Government, or asked for by their predecessors.

“There is, to my mind, a vast difference between prescription in land matters applicable to private individuals, and prescription applicable to the Government or general public. I do not know what in law would constitute a prescriptive right to land on the part of an individual proprietor against other individual proprietors, but I can well understand that if I, a proprietor of land, allowed (through ignorance of my own rights or otherwise) my neighbour to enclose and cultivate, or to cultivate without

enclosing, a part of my property for a long term of years without hindrance or dispute, he might thereby acquire a right to that property, for I should consider that I ought not to remain quiet until my neighbour had improved my property by the investment of money in its cultivation, and then to turn upon him and deprive him of it. I should not, however, so readily acquiesce in the justice of it. I should, however, be unable to see any justice in allowing an individual to acquire a title to land because of his own wilful neglect to fulfil the conditions under which he holds other lands, or to observe the specific laws of the country regarding land beacons, or because of his having for a lengthened period had the advantage of depasturing his stock on a tract of waste Crown lands not required to be otherwise appropriated."

The following is a letter from the Governor:—

"Swellendam, 27th October, 1862.

"MY DEAR SOUTHEY,—I wish you would look over these memoranda by Denyssen, Bell, and myself, arising more immediately out of the Beaufort-Molteno case, not applicable to the general treatment of such questions throughout the Colony. I do not think Denyssen and Bell quite appreciate the principle on which I propose to act. They look too much to the improper manner in which the party obtained the land, and wish to mulct him accordingly. I, on the other hand, take that as an admitted fact, as in the case of a squatter, and, recognizing certain carelessness on the part of the Government, am mainly anxious to get a settlement of the landed property of the country, with certainly some additional revenue to the Government.

"Moreover, it is indispensable to bear in mind the existing state of things, and the necessity for withdrawing the control of land matters from the Divisional Councils, and I am sure that our course would be much smoother if we made it clear that we did not intend to enforce rigidly the rights of the Crown.

"Of course, the periods of possession mentioned in my memo may be too short; that is merely a question of detail, if we once decided on the adoption of the principle.

"Yours ever truly,

"P. E. WODEHOUSE."

All this land business resulted in the Government appointing a Commission, which took evidence, and their Report was presented to Parliament in the Session of 1864. Then, upon the motion of Mr. Molteno, the subject was finally disposed of. It was held that when a prescriptive right could be proved, the area should prevail against the diagram.

General Wynyard says in one of his letters, "Poor Rawson! They do badger his life out, and that in a most unreasonable way." Mr. Rawson must have been delighted to be relieved of his thankless office, and was in due course sent to Bermuda as Governor. A good successor was wanted, a man who knew the country, its people, and its difficulties, who possessed sound judgment and very good temper. Such a person was chosen when, in 1864, Mr. Southey became Colonial Secretary.

The following interesting letters from Sir. P. E. Wodehouse bear reference to events of their time:—

"MY DEAR SOUTHEY,—Rawson tells me by telegraph that you all approve of my proposals respecting the meeting of Parliament and the preparation of business, so I hope you will not think me very hard-hearted in expressing a hope that your stay in Swellendam will not be very long, for I must trust to your doing all in your power to push things on, and to ensure our being ready when the time comes. That at least we may do, and I should be sorry to think we had diminished our small chances of success by any failure in that respect.

"I am perfectly willing to go with you in attempting to devise means of prompt and efficient punishment of cattle stealers, and really I am not without hopes of success if the Parliament will behave reasonably. This is, however, I think, quite certain, that if the farmers require special punishments, they must be prepared to submit to special restrictions operating with some inconvenience on themselves. At Queenstown I hope to see many of them, and hear clearly what they want, and what they will submit to. I have just got a letter from Currie, who says he is prepared to give me full information after visiting all those places.



“These rains will, no doubt, bring upon us in Parliament a fierce pressure for bridges, and I am looking for a tremendous representation from the General as to the want of communication. His letters from England, which left this from King William’s Town on the 17th, are still on this side of the Keiskama, and we have had no communication from British Kaffraria.

“Tell me if you think Porter is in good trim about our coming measures. I left him all right, and quite disposed to go forward. As to the division of the Supreme Court, I cannot say I am at all impressed with the force of the objections of the Judges. Watermeyer is essentially Cape Town, and the recommendations of the others amount to little. By-the-bye, I forgot to say that in all our plans for putting people up in this place, we have made no provision for you, taking it for granted that you would find your own quarters somewhere. If you want anything, let me know. Rawson says he is going to write to me about my journey to the Free State; what about I can hardly guess, for the object, if indeed anything will come of it, is simple enough. The doubt is if old Moshesh will come to the scratch at all; if not, of course, I shall turn back from Aliwal. Possibly, if he does agree, he may revert to the question of the appointment of a British Agent, which we dropped to please Pretorius, and the new President may well find it to his interest to withdraw the objections, if he can thus obtain the recognition of the boundary. Let me hear from you on this. Post closing.

“Yours very truly,

“P. E. WODEHOUSE.

“Grahamstown, 21st February, 1864.”

“MY DEAR SOUTHEY,—The Session of the Parliament is now so fast approaching that we cannot with safety delay taking into serious consideration what course we ought to pursue on the matters of British Kaffraria and separation, as until that is exclusively arranged it is impossible for us to see what we ought to do in respect to the Road Dept., Crown lands, and other questions, with which it is impossible for us to escape dealing in some shape. Some suggested the possibility, when the Secretary of State’s despatch arrived, of abstaining this Session from any proposals to the Legislature, putting the despatches before them, and giving them and the country twelve months to think about

it before submitting measures to the new Parliament. There is much that is tempting in this suggestion, not omitting present case, but I am afraid that the objections are of more weight. The financial difficulties of British Kaffraria, the very objectionable state of the Transkei, are great objections to delay, added to which is the probability—not at the moment recollected by those who recommended it—that we should find ourselves in for two general elections within a year of each other.

“It is hardly likely that we could avoid a dissolution when the annexation of Kaffraria comes to take effect, if that should be left over to the new Parliament, and very likely the chance of the dissolution might go far to determine them against listening to any proposals for annexation. I believe it to be my duty, both to the best interests of this country, and to the Government under whom I serve, to endeavour to bring about the union of the two Colonies, and if the Council agree on that main view, we have only to consider in what manner, and at what time, we can best bring that about.

“The Secretary of State is evidently more determined against anything having even the appearance of separation than I am myself, and if you look again at his despatch (which I now send you), it cannot but strike you that the legislative powers which he would give to the Provincial Councils would amount to almost nothing, little more than a power to create confusion and excite contention. It becomes a question, therefore, whether it would not be better to create them without any powers of legislation, except for purposes of local taxation and expenditure, and merely to assign to them administrative powers considerably greater, but better regulated, than those possessed by Divisional Councils. I am not sure that such a plan might not gain the assent of some of the Separationists, who have always looked more for executive than legislative influence. It would tend to break up the excessive local and family influence on the Divisional Councils ; it would place under local control transactions like the maintenance of the roads, which the Central Government has at present, owing to the vast extent of the country, much difficulty in supervising, and not the least of all it would remove, in a great degree, from the shoulders of the Central Government the responsibility and the task of devising new taxes required by the increasing expenditure of the Colony. To raise the question, therefore, in a

tangible form, I send you a few of the principal heads of a scheme to be further worked out, if as a foundation it seems good; and I shall be very much obliged if you will go over the paper, give it your best consideration, and see me about it when I come in on Saturday.

“ Yours ever truly,

“ P. E. WODEHOUSE.

“ 15th January, 1863.”

“ MY DEAR SOUTHEY,—Rawson has sent me the result of your discussions on this boundary question between the Free State and Moshesh, and you may rely on my not getting drawn into any active steps without ascertaining what both parties mean to have done, and upon what they will accept my decision as final. I agree that it is not my business to go and point out what is such a kop or spruit, etc. If that is all they want, other people can do it for them. But my impression is that Brand is so anxious to get the matter settled, and so anxious that he cannot get Warden's line as a whole, that he will be prepared to act on the give-and-take plan formerly adopted. And if that is so, I do not think I can with propriety refuse to help. I think I can get that question clearly determined before leaving Aliwal. Possibly we may hear something to-day from Burnet as to the disposition of Moshesh.

“ I confess to becoming a little more hopeful as to the prospects of the present Parliament. Perhaps you have seen the speeches of Harries and Chabaud at the Uitenhage Show. You will see that the latter announced his intention, and so forced Harries into an explanation almost to the same effect, of not attempting to create embarrassment in this Parliament on the question of separation, etc. I am half inclined to hope that this feeling is spreading, and that the Eastern men will come together disposed to be reasonable and quiet, in which case we shall have a very fair chance of getting the support of several Western and Midland men. A question is now rising out here on which I should like to know what you think—viz. the equalization of the number of Members, Eastern and Western, in the Council and the Assembly. It is very reasonable, and a change that the East may fairly try to effect without exposing themselves to the charge of faction. But at the same time, as we

have announced our intention of abstaining from political changes, I am not inclined to make any Government move in the matter, but leave it to the Eastern Members to work out as they can—letting them understand that the Government is in no manner opposed to them. Let me hear what you think.

“We are still without communication of any sort from King William’s Town, though the weather for the last forty-eight hours has been beautiful. We shall be very hard pressed in the matter of the fines of the post contractors. The K. W. T. mail has now been hopelessly fixed at the Keiskama for more than a week, and a second mail for three or four days.

“Yours ever truly,

“P. E. WODEHOUSE.

“25th February, 1864.”

“King William’s Town, 20th September, 1864.

“MY DEAR SOUTHEY,—No orders have come respecting Rawson’s successor, and from a private letter I have received it is pretty clear nothing will be done for some months. But there are plenty of candidates in the field. You had better, therefore, appoint Mr. Breda to be Clerk-in-Charge, and I will write and explain the matter to Davidson.

“Yours ever truly,

“P. E. WODEHOUSE.

“Of course Mr. Breda will not get more than half of the Treasurer’s salary.”

“MY DEAR SOUTHEY,—A private note from Mr. Cardwell says he has ‘officially adopted my appointments’ for the Secretaryship and Treasurership.

“Yours,

“P. E. W.”

The following is from Sir George Barrow of the Colonial Office:—

“Colonial Office, 7th December, 1864.

“MY DEAR SOUTHEY,—I am very much obliged for your interesting letter of 15th October, and the communications from Mr. Warner.

“I do not think that anything will go out by this mail

relative to the Transkeian territory, but I suppose the relinquishment of it may be regarded as a *fait accompli*. It will require the greatest discretion in locating the natives in that territory in such manner as to avoid as much as possible combination under the paramount Chief Kreli. I suppose no Europeans will settle there without protection.

“Do you know, or could you ascertain for me, the character of the River Bashee, whether it at all resembles the Kei. I fancy it must be the smaller river of the two.

“I showed your letter to Mr. Cardwell, who read it with much interest. The whole question, including annexation of British Kaffraria, is before the Cabinet.

“Your warrant was to have gone out by this mail, but it has unfortunately been delayed, and cannot receive the Queen’s signature in time, but this will not affect your interests.

“Believe me,

“Yours very truly,

“GEORGE BARROW.”

In 1864 one of the most trying periods of Mr. Southey’s life began, when he had to become practically the Prime Minister of a country where one very powerful party clamorously called out for Responsible Government, and another in the Eastern Districts loudly demanded “Separation.” Native affairs presented phases of considerable difficulty, while the conduct of the finances and the prosecution of public works necessitated great attention and care. At this time Kaffraria was without a legislature, suffered from a deficient revenue, and possessed a Government whose members drew small salaries and bore high-sounding titles. In 1862 a bill for the incorporation of this country with the Cape Colony had been thrown out. A valuable tract of country beyond the Kei at the same time remained unoccupied, since Kreli was turned out, and Sir P. E. Wodehouse hoped to settle Europeans upon it. General Wynyard had retired, and Sir Percy Douglas, who took his place, represented the inadequacy of the troops under his command to hold the native territories.

Sir Philip Wodehouse was in favour of alternate Parliaments in the Eastern and Western Provinces. In the session of 1862 the proposal was rejected with other measures of the Government; but before the close of the session of 1863 a resolution in favour of government was passed by a majority of one in the House of Assembly, and the Governor therefore announced that the session of 1864 would be held in Grahamstown.\* Parliament was opened in the City of the Settlers on 28th April, 1864, and Sir P. E. Wodehouse was able to say in his despatch dated 11th August that the session had been "a success."

"All he desired had been done—supplies granted, judicial establishments enlarged, native questions fairly dealt with, and the hand of Government strengthened by convincing the predominant influence of Cape Town that Parliament can easily be held elsewhere."

Mr. Southey was not only a well-informed, safe, and wise adviser, but his moderation and tact in Parliament immensely assisted the Governor. Certainly Sir Philip Wodehouse, very unlike the military administrators, took the helm of State firmly in his hand, and being very conservative and thoroughly opposed to Responsible Government, was no favourite in Cape Town and the Western Province. His Native policy is open to very much question, and we cannot be surprised that frontier people censured his plan of allowing Kreli to again take possession of a portion of his forfeited territory.

There was a good deal of practical legislation effected in the Grahamstown Parliament, as the finances of the Colony were put upon a sound basis by the imposition of Customs dues, the establishment of a Sinking Fund, and the

\* So high an opinion had Sir Walter Currie of Mr. Southey, and so much did he see the *necessity* of his being one of the Government, that he says, "If you don't get the appointment we shall have no one in the Executive that knows a *damn*, and I shall pity the new Governor. There will be no hope that anything will go right except by accident."

authorization of a loan to pay off debentures. Besides this, an Eastern Districts Court was established. It was in 1864 that telegraphic communication was completed between Cape Town and Grahamstown, and that the first railway—58 miles in length—was opened from the metropolis to Wellington.

Writing from Bermuda, Mr. Rawson (then Governor of the Bahamas) says—

“Government House, Nassau, 7th February, 1865.

“MY DEAR SOUTHEY,—

\* \* \* \* \*

“I do not think I omitted to send you a few lines of congratulation upon your getting the permanent appointment of Colonial Secretary. In every respect this is comfortable and gratifying. May you live long to enjoy it.

\* \* \* \* \*

“Your account of the closing of the session at Grahamstown amused me greatly. I can picture to myself the different forms of astonishment and indignation which Sir W. and old Wood respectively displayed. I am sorry I lost the fun. I should like to have seen Southey, the imperturbable in the midst of the hubbub, as cool as a water-melon. Sir Philip writes that towards the end Tucker came to him and seemed desirous of assisting him. H. E. seems satisfied with the session. You must have had a long holiday since he went up to the Free State. I see Murray complains in the *Great Eastern* of business being in arrear in consequence. But in the same number he complains of R. W. R., the King of the Bahamas, robbing those splendid fellows, Reid & Co., of the mail contract between Port Elizabeth and Grahamstown against the recommendation of the P. M. G.

“Believe me,

“Yours very truly,

“RAWSON W. RAWSON.”

The session of 1864 in Grahamstown had been stormy, but that of 1865 in Cape Town was worse. The subject of the annexation of Kaffraria was then a burning question.

Its defence was a liability of the Imperial Government, and it was conveniently situated as a barrier between the Kafirs and the Cape Colony. The people of Kaffraria themselves did not wish for annexation. It was also at this time that extreme tension existed between East and West on the ground of separation, and the former Province was disposed to favour taking over the new territory in the belief that its people were in sympathy with them. By a narrow majority, and in a comparatively thin house, a vote was obtained, towards the close of the session of 1864, in favour of annexing Kaffraria. Accordingly, an Imperial Act was passed providing for the union of that territory with the Cape Colony, and fixing the number of its parliamentary representatives. The dominant party, of which Mr. Molteno was at the head, construed this action into a violation of their constitutional rights. In opening Parliament the Governor referred to the matter at great length, and he published at the same time a Blue Book containing the despatches on the subject.

Sir Philip Wodehouse was not in favour of popular Government.

“In the Cape Colony,” he says, “Parliamentary institutions have been established which, however beneficial they may have been in other respects, have certainly tended in the highest degree to increase the difficulty of treating Native questions, and to reduce the power and influence of the Executive Government. Financial matters have been dealt with improvidently. Commencing free from debt, they have gradually increased their expenditure without providing remedies to meet it, and have been content to raise loans in foreign markets with little regard to future consequences. By the concession of Parliamentary Government the Cape has been placed in a position to treat any proposals of Her Majesty’s Government almost as it pleases.”

Sir Philip was a man of thorough honesty, considerable ability, and iron determination. Certainly he seemed to govern very much in the supposed interests of the Home Government. Military expenditure must be curtailed, there-



fore a policy of concession to Kreli; then there must be a removal of tribes and the obliteration of boundary-lines, while, of course, the annexation of Kaffraria was absolutely necessary.

At the commencement of the session Mr. Molteno secured an adjournment for a week on the ground that the subject of British Kaffraria must be taken before any other work could be done. When the Assembly met after the adjournment, Mr. Southey quietly remarked, that with reference to the remarks of Messrs. Molteno and Saul Solomon it was the Governor's intention to introduce two bills—one for the annexation of Kaffraria, and one to increase the Parliamentary representation of the whole Colony. The first would give to the East four members for the new section; and by the latter four more members were given to the East, while eight were to be given to the West, and three members of the Legislative Council were to be allotted to the East and three to the West. He added, that as the bill had not arrived from England he was prepared to go on with the Estimates. After adjournments the proposed Annexation and Representation statutes arrived, and on the motion of Mr. Solomon were referred to a Select Committee. The same gentleman moved, and Mr. Molteno seconded, strong resolutions censuring the Governor's action, and protesting against the conduct of the Imperial Government. These were carried; but as in the case of the curses referred to in the "Jackdaw of Rheims," nobody seemed the worse. The Governor and Mr. Southey treated them with calm imperturbability. After a very gallant fight, continued for nearly five months, when feeling ran high and the galleries were continually crowded, the Eastern Members were forced to give way, and the Annexation and Representation Bills, in an amalgamated form, were passed. The Lands Beacon, Divisional Council, and Education Bills were submitted, but received short shrift from a hostile Parliament. The Railway Bill was sent to a Select Committee.

It was fortunate for Mr. Southey that Herod and Pilate quarrelled, in the persons of Mr. Molteno and Mr. Saul Solomon. The latter proceeded to extremities, by refusing to vote funds for railways on the ground that Government was not fit to be entrusted with public money, while his previous coadjutor declined to go so far. The debates in Parliament were characterized by a bullying tone towards the Colonial Secretary, and it required very great patience and strength of mind to bear up against constant and virulent denunciation. To make matters worse, the general condition of the Colony was extremely unfortunate. There were severe commercial disasters, particularly in Port Elizabeth, and many farmers complaining of undue taxation expressed a wish to trek to the Orange Free State. Numbers of unemployed cried out for work, and emigration proceeded both to New Zealand and Australia. The panacea advertised by the opposition politicians of the day was Responsible Government—this, indeed, would cure all the diseases of the body politic, and should be introduced without delay. To add to the disasters of the time, Lord Carnarvon, the Secretary of State, decided that the Imperial troops must either be paid for or withdrawn.

The speech delivered by the Governor at the opening of Parliament on 28th September, 1866, was declared to be admirable even by opponents, and it is very probable that Mr. Southey had much to do with its nature and tone. His Excellency deploras the serious deficiency between revenue and expenditure, and makes proposals for an export duty on wool, a paper currency, and an increase in Customs dues. He urges a conciliatory spirit, and earnestly promises co-operation with Parliament, begging members at the same time to suppress minor differences and work unitedly for the interests of the Colony.

Mr. William Downes Griffith became Attorney-General, and he, with Mr. Southey, agreed entirely with the Governor about the non-desirability of Responsible Government, thus

differing in opinion from both Mr. Porter and Mr. Rawson, their predecessors.

Mr. Griffith early in the session entered into a very hot controversy with Mr. Molteno on his motion to give power to the judges and modify convict's sentences, so as to decrease their number. The Attorney-General, indeed, went so far as to hint that Government would not carry out any resolution unless it was in accord with their views.

In order to economize, a Retrenchment Committee was appointed by Parliament, and at the same time the unusual course was adopted of only passing the Estimates for a period of six months. The Governor, in his prorogation speech, declared in a curt manner that in a few months he would again call Parliament together, when he hoped that they would attend properly to business without being disturbed by the remembrance of past contests.

With reference to the Native Policy of this time, the following important letter from Mr. Warner, Tambookie Agent, deserves attention :—

*“ Entirely private.*

“ Wodehouse Forests, 29th October, 1866.

“ MY DEAR SOUTHEY,—I see by your official letter to the Tambookie Agent on the subject of free intercourse between the Transkei and location Tambookies, that what I would not believe is really the true meaning of the latter part of the eighth clause of that extraordinary bill now passing through the ‘House,’ and about which I wrote to you a post or two ago.

“ Well, I can only repeat, if *that* becomes law you will have undone with one stroke of the pen all that you have been aiming at, and all that the Government has over and over again officially declared should for the future be the position of those people, and *chieftainship will* be as thoroughly restored in the location as it has been on this side the Indwe. And if that is now the intention of the Government, then you might as well send the Tambookie Agent back to Glen Grey at once. I write freely to you, because you are an old and faithful friend, and because you have always encouraged me to do so on all subjects connected

with the Native Question, and I hope you will pardon me for telling you that all the late measures are calculated to strengthen the natives and weaken us, and to afford them facilities for re-organizing themselves, combining together, and becoming as powerful as ever for mischief; and they *will* do mischief yet, or I shall be wonderfully mistaken. Both *you and I* have sons with families growing up around them who must sink or swim with this miserably unfortunate Colony, and to all appearances it is indeed a blue look-out for them, for I never knew the 'Native Question' in a more deplorably hopeless state than at present.

"I am,

"My dear Southey,

"Yours very sincerely,

"J. C. WARNER."

Every one admits that the motives of Sir P. E. Wodehouse were pure, and that he was a man of high character. Desiring peace and good government, he brought forward in the first instance a scheme of separation into Eastern and Western Provinces with a supreme Government over both, but this failed to secure the approval of the Duke of Newcastle. He then informed the Executive Council that he would, with regard to all his measures, be guided by Parliament.

In the session of 1867 it was proposed by the Governor that there should be a single legislative chamber with twenty-one members, and a system of alternate Parliaments in East and West. An outcry ensued, and the proposal was styled an insult. Unfortunate Mr. Southey had to propose the resolution, and Mr. Molteno, as an amendment, moved that the time had come for the introduction of Responsible Government. Among other things, this tribune of the people declared that—

"Our present position was intolerable, and was admitted to be so by all parties, even by the Government, witness their scheme of improving matters. Responsible Government was the legitimate goal of representative institutions; the Colony did

not wish to go back, but would go forward to reach this goal. Other colonies had responsible Government, and prospered very well with it. Why should the Colony form an exception? During the thirteen years that representative institutions had existed they had not made any progress, and he saw no reason for waiting. What could they wait for? Another reason which gave urgency to the question was the withdrawal of the troops announced by the Home Government. The House passed resolutions, and the Government ignored them, and refused to carry them out."

Mr. Molteno's amendment was lost, and the Government withdrew their proposed resolutions. The argument of Mr. Molteno is now given without any reply, as the reasons of Mr. Southey and other Ministers against Responsible Government will be found in a special memorandum which will be incorporated in the text when we come to the events of 1872.

A Parliamentary resolution requiring the Government to hand over the management of main roads to Divisional Councils had been ignored by Government, but was now (session 1867) insisted upon, and Mr. Southey was very sharply attacked on the Estimates by Mr. Molteno. Mr. Griffith immensely accentuated the bitterness of the opposition, and called down upon himself the wrath of Mr. Solomon, when he called upon the Assembly "to lop off the cumbrous machinery of Parliament," and stated that the country demanded this change. The Colonial Secretary might well say on such an occasion, "save me from my friends." There was nothing but turmoil, strong language, and dissension. East *versus* West, Responsibles against Anti-responsibles; while, above all, there was the murky cloud of commercial and agricultural disaster.

In August, 1867, Prince Alfred again came to the Colony in the *Galatea*, visited the Knysna, and enjoyed an elephant-hunt. Mr. Southey was again a *persona grata* with him and his entourage.

The war between the Free State and Basutoland became the means of Basutoland being proclaimed British territory on the 12th March, 1868, but this was effected in the department of the High Commissioner.

The last session of the third Parliament of the Cape Colony was assembled on the 20th May, 1868, and Members were informed by the Governor that after every possible economy there would be a deficiency of £25,000. His Excellency attributed financial difficulties to the fact that in past years great efforts had been made by freely borrowing money to develop the Colony, and that now a reaction had set in. The truth is, that the Colony was poor and suffering from a multitude of afflictions, though in 1867 the faint dawn of prosperity had been seen in the sky connected with the discovery of diamonds in the country near the Orange and Vaal Rivers.

Thirty-three Acts of no particular consequence were passed in the session of 1868, and it was observable that there was more calmness in debate. In fact, the Governor in his prorogation speech commended the wise and temperate spirit in which matters had been treated. He also thanked Parliament for supplies, and with regard to Natives referred to their removal over the Kei. Mr. Southey had a heavy burden to bear in carrying on the work with Sir Philip Wodehouse on one side and Parliament on the other, but acquitted himself in an admirable manner. His own office duties were heavy during the entire year, and hundreds of letters from officers of the Civil Service with reference to grievances, increase of salary, promotion, and the like, were treated with courtesy, tact, and justice. His knowledge of the country and the people of the country helped him exceedingly, while his patient, kind disposition greatly disarmed disappointed men, as well as political opponents.

## CHAPTER VII.

Letters from Sir John Barrow—Commandant Currie and the Koranna robbers—Diamond discoveries, and Diamond Field politics—Letters from Mr. Giddy and Dr. Atherstone—Cape Colony politics—Outline of Budget speech—Responsible Government—Correspondence.

THE following letters from Sir John Barrow, Under-Secretary for the Colonies, are given together, and in order of date:—

“Colonial Office, Downing Street, London, March, 1865.

“MY DEAR MR. SOUTHEY,—I was very sorry to learn that you had been so seriously indisposed, and I trust that you are suffering no bad consequences from it.

“We have heard nothing of the matter relative to the refusal of one of the Fingoe Headmen and his followers to exchange their Certificates of Citizenship, so I dare say we shall hear nothing about it at all.

“The B. Kaffrarian Bill has passed the House of Commons with very little opposition, and I hope it may pass glibly through the other House. It certainly seems to be a most desirable measure, the little Colony serving (as Sir P. Wodehouse has remarked) as a *buffer* between the Cape and the Kafirs.

“Believe me, etc.,

“GEORGE BARROW.”

“Colonial Office, 8th June, 1865.

“MY DEAR MR. SOUTHEY,—I am very much obliged for your letters of 14th and 15th April, which I have shown to Mr. Cardwell. They make me very anxious for the next news. If the Tambookies persist in their refusal to move, I do not know what you will do. With respect to the Fingoes, I trust that the statements in the local papers of their treatment by some of the subordinate officers of the Government in the matter of

the Certificates of Citizenship are much exaggerated; but the Bishop of Grahamstown, with whom I was talking on the subject a few days since, seemed to think that the late rates were rather oppressive.

“It is vexatious to think that if the Transkeian territory could have been protected it would have been settled with a European population, and the present embarrassment might have been avoided. The difficulty was, of course, that the Cape Mounted Police would not have been left there, and then came the unfortunate *row* with Kveli. I entirely concur in your views and your regrets, if it is not treason to say so, but I hope and believe that all your advice will be taken to smooth matters as well as possible.

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“Yours very truly,

“GEORGE BARROW.”

“Colonial Office, 9th August, 1865.

“MY DEAR MR. SOUTHEY,—Many thanks for your interesting letter containing so much information. It is satisfactory to see that the real fight that is now going on is not with reference to annexation (the Resolutions, I suppose, having served as a safety-valve), but to the relative numbers of Western and Eastern Members in the enlarged Parliament. I have often thought what a mistake it was originally to make such a marked distinction—unless, indeed, it was unavoidable.

“Sir P. Wodehouse’s despatch on the subject is little more than acknowledged—waiting for further despatches; but Mr. Cardwell has written privately to him. I hope he will not take the Resolutions too much to heart, especially if he carries the two Bills, either separately or amalgamated.

“Sir W. Hodges returns by this mail, or by a new steamer, the *Mauritius*, which is to leave shortly. He seems to be in better health than he was a few months since.

“I hope you will not give me up as a correspondent on account of my shabby notes, but I am not the only person interested in what you write, and this may be some consolation to you.

“Believe me, etc.,

“GEORGE BARROW.”



“Colonial Office, 9th November, 1865.

“MY DEAR MR. SOUTHEY,—I was very glad to receive your letter of the 22nd ult., reporting that the Annexation Bill had passed, and Mr. Cardwell was also glad to receive the intelligence. The Eastern Members really seem to have completely stultified themselves.

“The Committee on the Lieutenant-Governor's commission, if not with the *arrière-pensée* of separation, was certainly bent on getting the management of Native Affairs in their hands, which the Home Government will never, I think, take from the hands of the Governor in his capacity of High Commissioner.

“Your success in the removal of 40,000 Fingoes into the Transkeian territory is really wonderful. I hope Sir P. Wodehouse will write a despatch on the subject, as we have heard nothing officially of what has been done; Mr. Cardwell might have questions asked him in the House. Mr. Cardwell seems to be highly satisfied with all that Sir Philip is doing in regard to what is going on in Natal. I hope the Basutos will not be crushed; they had already been hemmed in within their present territory, losing all their old hunting-ground, and under such circumstances they might have been very troublesome, instead of being, on the whole, well-conducted, at least for a semi-civilized people.

\* \* \* \* \*

“Yours, etc.,

“GEORGE BARROW.”

“Colonial Office, 9th December, 1865.

“MY DEAR MR. SOUTHEY,—Sir P. Wodehouse's despatch, giving a full account of the measures taken for occupying the Transkeian territory, has anticipated the request I made to you in my last note. The quiet removal of 40,000 Fingoes is a great exploit.

“Would you have the kindness to send home a few copies of the printed Record in the suit of Long *v.* Capetown, 1862? It is much wanted in the office.

“Yours, etc.,

“GEORGE BARROW.”

“Colonial Office, 9th January, 1867.

“MY DEAR MR. SOUTHEY,—

\* \* \* \* \*

“Lord Carnarvon has written a further despatch respecting the Mutual Protection Association which will greatly uphold Sir P. Wodehouse.

“I was sorry to hear of the occurrences in the Postmaster-General’s office. I do not see how it was possible to retain Mr. Le Sueur at the head of it, notwithstanding his unimpeachable integrity. Lord Carnarvon will sanction his receiving half the pension to which he would have been entitled if nothing had happened. It seems a great pity that he was not long ago transferred to some other office, or allowed to retire in 1864. I shall be glad to see better days for the Colony; you seem at present to be in a bad way, and likely to have much difficulty in extricating yourselves. But I hope the Parliament will not insist on sudden and sweeping reductions which must give rise to further distress and trouble.

“What a wonderful country this is for commerce, which goes on at a rapid increase in spite of the greatest financial embarrassments on the Change! What has lately happened here would have almost ruined any other country; and the private distress is, I believe, fearful, though not much heard of in public.

“Wishing you a happy New Year,

“Believe me, etc.,

“GEORGE BARROW.”

“Colonial Office, 26th April, 1867.

“MY DEAR MR. SOUTHEY,—I am much obliged for your letter of the 18th March, which contains much interesting matter. Your plan of sending the Kafir prisoners to Mauritius seems to be well deserving of consideration. I shall put your letter into the hands of the Duke of Buckingham’s \* Private Secretary to-morrow (when they return from the Easter Holiday), and if I can elicit any opinion which would enable you to see your way I will let you know.

“I suppose we must expect a great deal of growling in regard to the payment to be required of the Colony towards the expense of the troops, and that their services will be declined

\* Now Secretary of State for the Colonies.

—more New Zealand. I see the force of what you say in regard to the Natives being left to the tender mercies of the Colonists, and humanity will exclaim against this; but ought a large force to be kept up for this purpose, in defiance of the opinions expressed by Parliament with respect to the military expenditure of the Colonies, and an opinion, which I think has been expressed, that so far as *Imperial* interests are concerned, Cape Town and its immediate vicinity is all that need be looked after.

“I hope there will not be another Basuto War. Mr. Scott, whom I have just seen, thinks that if there is the Basutos will not this time remain on the defensive, and that it is not improbable that Cetywayo (Panda's son) may join them.

\* \* \* \* \*

“Believe me, etc.,

“GEORGE BARROW.”

“Addison Road, Kensington, 1867.

“MY DEAR MR. SOUTHEY,

\* \* \* \* \*

“I am sorry you are kept so long without hearing anything about the diamond. Mr. Julyan told me that he had applied to Garrards', and that they had recommended a person to test it.\*

\* \* \* \* \*

“I suppose it is pretty clear that the Basutos cannot last long as a nation, and that if we do not take them in charge the Orange River Government will. I fancy it is very desirable for the Natal Colony that the latter should not happen, and I think the authorities here are beginning to feel this. With regard, however, to the Orange Free State, whatever may be said as to their having been set free, I fancy their being reunited to the Cape just now would increase your difficulties.

“Believe me, etc.,

“GEORGE BARROW.”

“Colonial Office, 9th April, 1868.

“MY DEAR MR. SOUTHEY,—The enclosed is a duplicate of a despatch addressed to Sir P. Wodehouse on the subject of the

\* This was the first diamond found in South Africa. Sir P. Wodehouse bought it for £500, and sent it to Messrs. Garrard & Co.

negotiations with Moshesh, etc. ; it is to tell him to be as cautious as possible in his proceedings.

“It was sent by one of the clippers which run to Natal, and Mr. Keate was asked to forward it on to the spot where Sir P. Wodehouse might be.

“The last news from the Cape of the successes of the Orange Free State has made us all very anxious, and it has taken us by surprise, as we did not give them credit for so much alacrity, which they have seldom shown before. I do trust that all may still go well, but if the Free State should insist on retaining all they have acquired, there is an end to annexation to Natal, as they could not accept a remnant only of Basutos and of their country.

“I hope you are prospering at the Cape. I think matters there look better.

“Yours, etc.,

“GEORGE BARROW.”

“Colonial Office, May, 1868.

“MY DEAR MR. SOUTHEY—In the absence of the Governor your last letter to me was very valuable, as it put the Duke of Buckingham in possession of the latest state of affairs at the Cape, which was very important, in order to meet inquiries in Parliament. I have every hope that Sir P. Wodehouse will be able to accomplish what he is undertaking, and have no doubt that the Free State are making only a show of resistance to his wishes, partly to save their honour, as they think, and partly to make a better bargain for themselves.

\* \* \* \* \*

“Yours, etc.,

“GEORGE BARROW.”

“24, Addison Road, Kensington, W., 9th June, 1868.

“MY DEAR MR. SOUTHEY,—I am ill in bed, but your letter by the last mail has been forwarded to me from the office, and I sent it back for the Duke’s perusal, in case he should not have heard from Sir P. Wodehouse.

“It is very kind of you to keep me so well informed of all that is going on, especially when complications have arisen.

“I am sorry that there is a prospect of Basutoland becoming

a *second British Kaffraria*, to be defended, as the Boers will say, by British troops, but I have such a high opinion of your sound judgment and your thorough knowledge of all Native matters, that I am in hopes that, as you think otherwise, all will still be right. The Basutos seem to be fickle, for their earnest wish was declared to be, to be annexed to Natal, and they gave very plausible reasons for so wishing.

“ I fear it may be difficult to satisfy *our* Parliament on the subject.

“ Again thanking you for all your kindness,

“ Believe me, etc.,

“ GEORGE BARROW.”

“ Colonial Office, 9th July, 1868.

“ MY DEAR MR. SOUTHEY,—You will learn by this mail that Lord Carnarvon is our new Chief, and Mr. Adderley is our Parliamentary Under-Secretary. This is the twenty-third change since I have been in this office.

\* \* \* \* \*

“ I am sorry for the poor Basutos ; I am afraid that they must soon be broken up entirely as a distinct tribe. If anything will save them, it would be your placing a good sensible ‘ Resident ’ with them. The French missionaries, too, have excited our commiseration. Surely the Free State ought to make some compensation to them for the losses which they have incurred, and to enable them to settle on land still belonging to the Basutos.

“ Would you tell Sir P. Wodehouse that I have sent him in the bag some further papers relating to Jamaica ?

“ Sir H. Stokes is coming home, and our friend Rawson is to administer the Government till Sir J. Grant’s arrival.

“ Wishing you health and happiness.

“ Believe me, etc.,

“ GEORGE BARROW.”

“ Colonial Office, 9th July, 1869.

“ MY DEAR MR. SOUTHEY,

\* \* \* \* \*

“ I see *by the papers* that the great diamond *has arrived*.\* I

\* It had been sent to London, and models of it had been exhibited at the Exhibition in Paris in 1867.

hope to see it some day. Notwithstanding the number brought in, I fear the Cape Colony is not itself diamondiferous, and that they are washed down from some more fortunate country, perhaps the Transvaal, which little deserves such good luck.

"I hope your new Parliament will work harmoniously with the Government, and that the finances of the Colony will be taken into consideration, which seem to require serious attention. How can a Colony go on with such annual deficits, and so many loans?"

"Have you seen Lord Granville's\* reply to the despatch about the Convention? Sir P. W.'s notifying the ratification of it by the Free State arrived the day *after* it was sent off. I have no doubt Sir Philip will be able to show that by his arrangement the Basutos will have sufficient land to cultivate, and if he can likewise show that Moshesh and his people are *satisfied*, I think matters will go right, which I sincerely hope they may.

\* \* \* \* \*

"Yours, etc.,

"GEORGE BARROW."

"Bath, 8th September, 1869.

"MY DEAR MR. SOUTHEY,—I have to thank you for your last two letters. You must have had an awkward task in delivering your two great speeches on the Budget and on the Income Tax, the former of which appears to have met with general approbation from your having made a clean breast of the matter. How very insane of the Assembly throwing out the moderate Income Tax proposal, and preferring continued loans, which must ruin the Colony if they persist in such a course.

"I am much obliged for Sir Walter Currie's report of his proceedings against the Koranna's, and the plan which accompanied it, which are very interesting. I fear it will turn out to be the most difficult frontier which you have yet had to maintain, but if there are no other marauding Natives to succeed the present Koranna tribes, they may, perhaps, as W. Currie hopes, be starved out, after the check which they have received and the loss of their property, but it looks ugly.

"I have cut the report out of the newspaper and sent it, with

\* Lord Granville succeeded the Duke of Buckingham as Secretary for the Colonies in December, 1868.

the plan, to Downing Street, as I do not know whether it has been sent there officially.

“ Believe me, etc.,

“ GEORGE BARROW.”

“ 3, Queen Square, Bath, 23rd September, 1869.

“ MY DEAR MR. SOUTHEY,

\* \* \* \* \*

“ What a suicidal course both the Cape and Natal Legislatures are taking! They seem to be acting almost in concert, but they must, I think, come to grief, as it is impossible that what they are doing can end in anything to remedy the present state of affairs.

“ Yours, etc.,

“ GEORGE BARROW.”

There are letters dated 3rd August, 1868, and 5th February, 1869, from Mr. H. B. Christian,<sup>t</sup> of Port Elizabeth, with reference to the Northern Gold Fields and those of Tati. The reports received by him up to the latter date had not been very encouraging. A number of diamonds were sent to Downing Street (the Colonial Office) by Mr. Southey for inspection, and immense interest was taken in the new discovery.

In 1869 an expedition under Sir Walter Currie was sent out to subdue bands of Koranna robbers, who infested the islands and banks of the Orange River, near Kenhardt. Writing to Mr. Southey on 4th July, 1869, Sir Walter Currie vividly describes his operations. He says—

“ Having sent off, under Field Cornet Bloem, 85 men to operate on the Colonial side of the river, so as to prevent the enemy from making a raid into the Colony whilst I was on the opposite side, I started with the remainder of the force (248 in number), and reached the Orange River on the fourth day, when I found old Poffader, with about 48 very useless followers, whom I am sorry to say I have to feed.”

In two days' time they reached the first of the enemy's camps (Jan Koodoos).

“Unfortunately, it was late in the afternoon, and a very strong position on an island surrounded by water  $4\frac{1}{2}$  feet deep, and well barricaded. He gave us the challenge, and we accepted it. Fortunately we found a passage for the gun, through about a mile of jungle, and got it into position within 800 yards, with a good view of the island, and after some shots they gave way; the Police, crossing the stream, took possession without the loss of a man. The enemy’s losses were six, and we captured two good waggons, ten horses, goats, etc. The next day I sent the burghers and Kafirs on to finish the work. The Korannas had all left, and gone up the river. A few cattle spoors were discovered, but the Kafirs sent after the enemy were waylaid, when one was killed and one wounded.”

Subsequently the Korannas were shelled out of their large island and dispersed. Sir Walter Currie says—

“As well as I can ascertain, there are about 500 desperate ruffians very well armed in this almost inaccessible jungle.

“The distance on the river to Olive Drift was 50 miles, with an average of from 3 to 5 miles in width; about 20 islands visible, and certainly more than 200 invisible. So dense is the jungle that nowhere is the river even seen. Each island is a natural fortification.”

Sir Walter Currie declares that “he requires at least 1000 good men effectually to clear the Korannas out.” He would retire and obtain supplies.

“The only suggestion I can make for the future protection of this most miserable frontier is to get an Act of Parliament passed for a burgher law for the following districts, viz. Hoptown, Victoria, Calvinia, Fraserburg, and Namaqualand, and allow them to protect themselves.”

However, he succeeded better than was anticipated, although the water was more a protection to the enemy than the bush. He tells Mr. Southey that on the 7th June, 1869, he sent four parties to attack the centre island at daylight, having ascertained that all the robbers were congregated



there. A sham assault took place in another direction, during which our men crossed the river up to their necks, took the enemy in flank, got possession of the island, and shot thirty of the robbers. In a letter of 22nd July, Sir Walter says—

“In the last fight, owing to the depth of water and the helter-skelter pace they had to get over the river, vast numbers of unfortunate women and children were drowned. . . . From the river to Pipeklip (30 miles from Kenhardt) my outside patrols captured some 25 wild bushmen.”

They had acted as spies, and were in a perfectly destitute state. Certainly Sir Walter has not a high opinion of the prowess of the enemy. He says that they will not fight even for food when hungry.

“Cowards is too mild a name for them; they are the very d—dst; yet they will bring their stock up to danger, and then bolt and leave everything at the sight of the dust of their enemy. Only the other day a party ran like blazes, seeing a dust, leaving everything behind them. It turned out to be a troop of springbok! Oh, if I had only 100 more men of the right sort, God help Piet Rooi and his robbers!

“How are you getting on with your Parliament? Not so easy to manage as the Robber Islands!

“Yours, etc.,

“W. CURRIE.”

As a sequence of this expedition, Mr. Southey moved in Parliament, during the Session of 1869, that the Governor should be authorized to sanction Crown land occupation without payment of rent in Namaqualand, Calvinia, and Victoria West. There was a furious discussion, in which Mr. Griffith declared Mr. Molteno wished to defend murderers, but the amendment of the latter gentleman, requiring that these Crown lands should be thrown open to the general community, as well as to the “Bastards,” was accepted by Mr. Southey.

The correspondence about diamond discoveries, and the settlement of Magistrates at Klipdrift, and the dry diggings, during the years 1869 and 1870, are very interesting.

No one would at first believe that such a good thing as diamonds could come out of the Nazareth of South Africa. Mr. Erskine, the Colonial Secretary of Natal, writes—

“Many thanks for your kind intelligence anent diamonds—strange that *your* Kohinoor should have been discovered immediately after you sent your letter, strangely supporting your view of the genuineness of the discovery. Now do tell, how do people discover diamonds, inasmuch as in the rough they seem to resemble other stones? It is evident that Emmanuel\* has no longer the same signification as in the biblical times, or he would have known better.”

Mr. W. B. Chalmers, writing from Hopetown on 23rd June, 1868, had previously given an elaborate account of the circumstances connected with the discovery of several diamonds. He speaks of some of them having been found in alluvial ground, at considerable distances from the Orange and Vaal Rivers respectively. Subsequently crowds of diggers appeared on the latter stream, and the Government, declaring the territory to belong to Waterboer, took possession of the Fields and established Magistracies. On 17th November, 1870, Mr. G. M. Cole, Sub-manager of the Standard Bank, writing from “Vaal River Diamond Fields,” says—

“I beg to state that the most widespread anxiety prevails lest anything should occur to prevent the early arrival of Mr. Campbell (Resident Magistrate of Port Elizabeth), who is said to have received the appointment of British Commissioner. The appointment of Mr. Campbell is excessively popular. . . . Mr. Parker, the ‘President,’ † has himself more than once inquired

\* Emmanuel was a London jeweller, who sent out a man named Gregory, who reported that really no diamonds existed in the country. A misstatement or lie was for some time afterwards styled “*a Gregory*.”

† Elected by the diggers.

anxiously of me about his arrival, feeling probably that he will shortly not be able to control the daily increasing body of diggers, who will obey nothing but British authority. A most disorderly meeting was held here yesterday, at which the displacement of the old Committee of Vaal River was affirmed. Each digger was armed with a revolver, and had a shot been fired the probability is that a deplorable scene of bloodshed would have ensued."

Regarding the annexation of the Diamond Fields to the Colony, popular feeling in its favour is indicated by Dr. W. G. Atherstone,\* who, writing to Mr. Southey from Grahamstown on 15th October, 1870, says—

"MY DEAR SOUTHEY,—I was in hopes of getting up a memorial, with signatures, in time for last mail, but found I could not manage it; however, at last we have succeeded, and it will be all ready, together with similar memorials from Port Elizabeth, etc., and I hope in ample time for next steamer. We had old Wood in the chair, and Godlonton, Kennelly, Barry, and a dozen others, but decided that no public meeting was necessary. Barry left immediately afterwards for Port Elizabeth, where he will initiate a similar movement. There is but one opinion on the subject, and that is, that the country should be annexed without delay to the Colony. I fixed them to this, which I believe is the general opinion of the East. Your Memorialists feel confident that their representatives in Parliament will give a cordial and generous support to any measure which the Executive Government may deem necessary for the carrying out of the above object, *i.e.* upholding the jurisdiction of the Magistrate when appointed, and annexation afterwards. I cannot see how you can get Magistrates to act without pay, or an adequate force to support their authority. There might be risk of being ducked at Hebron, as Mr. Owen was. However, it matters little what expense is incurred; it will be amply returned by a small royalty on diamonds, a tithe of the amount charged by the liberal missionary of Priel, and the appointment of Magistrates under the Act of Victoria. I presume the necessary outlay will be granted for supporting their authority if required. I saw a very splendid

\* It was this gentleman to whom the first diamond was submitted, and he declared it genuine.

diamond of  $61\frac{1}{4}$  carats a few days ago, very clear and bright, of a beautiful topaz yellow. I had written, previously to receiving your last, to friends (F. Barker and others) at the Fields, to get a memorial signed by the diggers praying for annexation to the Colony, for which, of course, *all* are *now* anxious. If delayed until they are overrun by 'Roughs' from other lands the case may be altered, so the sooner the matter is decided the better. We have as much right to annex as Pretorius or Brand has to take in half the continent to Lake Ngami—his act was only a paper proclamation.

\* \* \* \* \*

"Yours sincerely,

"W. GUYBON ATHERSTONE."

Many interesting letters were received from Mr. David Arnot. He was the agent of Waterboer, and made such statements as the following:—

"Eskdale, 7th November, 1870.

"I had started, but I was obliged to return on account of a letter which Brand (President of the O. F. State) sent to the Chief. I think it a most impudent piece of business, considering that he (Brand) had it written two days after the Governor's last two letters of 10th and 17th October, 1870, had reached him, and thus he is defying us. . . . They will give the British Government much trouble in bringing about Basuto complications."

On the 20th of the same month, he says—

"As the Chief has now said that provisions in the negotiations will be made for me when he hands the Revenue sources of Albania, etc., over to the British Government, he would wish me recognized in some position."

He then goes on to ask the favour—

"of your influence and powerful interest in favour of his son-in-law, Mr. Fitzroy Maclean Henry Somerset, son of General Somerset, who is young—thirty years—healthy as a human being need be, strong as a horse, honest as daylight, steady as a rock, and although not bred up to the law, is clever, and takes to

matters easily. He is an Oxford man, and was rather favourably known there. You may try him with a temporary appointment."

The Session of 1869 was a stormy one. It was opened by the Governor (Sir P. E. Wodehouse) suggesting that in order to put the Colonial finances in order the revenue should be increased by £50,000 per annum, to be raised by means of a tax on houses, on incomes, on spirits, and on wool. Without a division this project was rejected by the House of Assembly, which declared itself in favour of retrenchment upon an extensive scale, and called upon the Government to suggest a suitable scheme. This resolution was carried by seventy-five votes to thirteen. The Governor and the Executive rose to the occasion by suggesting a scheme, in which it was proposed to abolish the existing Parliament, substitute a simple House consisting of twelve Members and three Executive officers, abolish no fewer than fourteen fiscal divisions, and withdraw grants to several public institutions. In the accompanying message the Governor declared that—

"he could not perceive in any constituencies any just appreciation of the functions of Parliament, or of the mode in which their representatives should discharge their duties. Unless it be for the attainment of some purely local object, or to force on some piece of legislature coveted by a particular section, they do not appear to expect of them any line of conduct, any real attempt to impress upon the Government the adoption of well-reasoned measures with which they should be prepared to give it an intelligent and cordial support."

The party headed by Mr. Molteno naturally looked upon the Constitution as the "Ark of the Covenant"—not to be touched; but they would not agree to any scheme of taxation, and demanded a grinding and, indeed, impossible system of reduction in expenditure. On one occasion Mr. Molteno said that he wished that he could have seen some other way of making the revenue and expenditure meet; indeed, he would

be most grateful to any one who would point out any plan by which this could be effected.\* On the other hand, it was declared that this Tribune of the people was doing his best, by means of a side wind, to introduce Responsible Government, and that by the help of a packed majority he was recklessly striving to bring about such a crisis as to make the existing system of Government impossible. This was indeed a time of turmoil and trouble, but the Executive, with the Governor, steadfastly adhered to their conservative views, and Mr. Southey, like a rock, bore without tremor the rude shocks of the Opposition. The notes of his speeches are very expressive. In one of them we find the following epitome of the Budget of 1870 :—

“Feelings and lamentations of Executive found no sympathy, and our continual representations only tended to create an antagonistic feeling.

“Members affected to believe it possible to equalize by reduction, but no one liked the task of attempting to show how practically, or work matters.

“Until 1866, when an attempt was made.

“Select Committee appointed, with power to take evidence and call for papers.

“Went to work vigorously, got together papers, and took much evidence.

“Brought up a report opposed, in most respects, to the evidence, and

“Only *indicated* how large reduction of the expenditure might be achieved.

“After pointing out difficulties, Executive endeavoured to follow up the *indications*, but in so doing has found that at every step it has led to fierce opposition, and now new appeals made to Parliament.”

Then comes a statement of expenditure, exclusive of works and buildings, ranging from £513,000 in 1864 to £642,000 in 1867; reduced in 1868 to £626,000, and in 1869

\* Mr. Molteno brought in a Bill for increasing the Customs revenue by 2½ per cent., but the progress of the measure was cut short by prorogation.

to £596,000. The expenditure in 1870 was £607,000. Difference between 1867 and 1870, £35,000, of which £8000 or £10,000 attributable to squeezing process." A large number of other statistics are quoted.

"Now proceed to give information on revenue and expenditure of past year, and prospects of this.

Estimated revenue, 1870	...	...	£543,583
Do. expenditure	...	...	604,926

Probable deficiency	...	...	£61,343
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To make up for this, to provide for public works much needed, and to avoid deficiency, Government proposed a tax on vehicles and on houses, as well as a revision of the stamp tariff. Another proposed source of revenue was a poll-tax, ultimately adopted. To continue the notes—

"The adopted measures for increased income the Government calculated to yield last year about £10,000, which, added to £543,583, the previous estimate, made £553,583—still insufficient to cover the authorized expenditure by nearly £50,000, and rendering it impossible for the Government to press for expenditure which was not absolutely indispensable, or could not be allowed to stand over. Should have been glad, if practicable, to have seen some needful public works sanctioned, but could not help coinciding with opinion of Members that, with the ever-recurring excess of expenditure over income, it was of the first importance to hold on. Could not at that time predict revenue would so much exceed estimate; prospects rather the other way. Wool market depressed. War expected. Happy to say, however, that revenue largely in excess of anticipations, and that for the first time in the memory almost of the oldest inhabitant income has exceeded expenditure. Revert to revenue. The actual receipts have been £661,392, or £107,909 in excess of anticipations.

"The chief sources from which this increase is derived are customs, land, and reimbursements."

Then come elaborate statistical details—

"System of collecting sub-guarantee (on Cape Town to Wellington Railway) by no means satisfactory.

“Causes much unpleasant correspondence between the Government and Divisional Councils, and yet money not collected.

“Arrears due, £42,380. If the Bill proposed by Government had been passed, this matter would be on a better footing.

“House tax collected last year was £10,028—if all collected would have been £22,000.

“As regards revenue, compared with previous years, £76,000 better. The excess in expenditure over revenue would amount to £20,948. Many small retrenchments in various branches of the revenue had been made.

“The principal saving amounted to £31,700 effected in administration of justice, convicts, works and buildings, transport, and hospitals. For the year 1871 it was calculated that income would exceed expenditure.

“But if the Colony is to flourish, we want more revenue and more expenditure. We want railways, roads, and bridges, and many other things. In fact, we want cheap and certain transport. If we had that we could produce large quantities of grain and other farm produce for export, which would be profitable in many ways. Employ labour, etc. For some years but two prominent ideas: (1) Reduce expenditure; (2) No more revenue. Executive not favoured those ideas—considered better to increase revenue. Proposed various ways—House only looked to Customs. Government consider duties too high, particularly on some items. Injure trade (see Orpen’s Memo). Imports reduced. Duty during recess to look out these matters.”

It will be observed that the day of prosperity for the Cape Colony had just begun to dawn. The first discovered diamond was placed by Mr. Southey on the table of the House of Assembly in 1868, and from the beginning of the Seventies a new era arose in South Africa.

That Sir Philip Wodehouse was a most honourable and hard-working statesman is seen in his memoranda and correspondence. No detail was too small for his attention, and we find him criticizing (very accurately) accounts of Divisional Councils, recommending in detail what districts should be under Deputy Sheriffs, and generally taking the



greatest interest in all matters connected with the government of the Colony. Mr. Southey was an unexcitable, reliable official after his own heart. Indeed, after Mr. Porter left the Executive Council and became one of the Members for Cape Town in the Assembly, the entire Executive were as one man in their political views.

The general election took place in 1869, and the issues put before it as to whether the Executive should obtain more influence or the Colony be brought under Responsible Government had been decided, as far as the Assembly was concerned, by a majority in favour of Mr. Molteno's views; but in the Legislative Council there was still uncertainty. At the beginning of the session of 1870 Mr. Southey introduced the Governor's Bill for the amendment of the Constitution by providing only a Legislative Council of thirty-six members, four of whom should be officials and the remaining thirty-two elected members. This was opposed with much warmth and rhetoric by Mr. P. Watermeyer, Messrs. Saul Solomon, Ziervogel, Pearson, Molteno, and Porter. As has been rather happily said, the last mentioned had sat at the cradle of the Constitution, and did not wish to follow its bier. In proposing the second reading of the Bill, Mr. Southey made a short speech. His main argument referred to the fact that the cost of the present Parliament was too great, and that this enactment would reduce it. Mr. Thompson of Grahamstown supported the Government; and the Attorney-General, Mr. Griffith, declared that there was no alternative between this Bill and Responsible Government. If the latter were preferred, then the country would be under an organized system of jobbery. "Mr. Molteno declared that if they destroyed the Parliament to save £5000 per annum they opened their wings to be clipped by depriving themselves of the power to make further retrenchment." As to Responsible Government leading to jobbery, he retorted that the Magistrates had been interfered with, and referred to Guano island irregularities. He

concluded by saying that, "if taxes and contributions were to be wrung from the people by the Government with which they were not in sympathy, they would not endure it." Mr. Southey, in replying on the debate, answered Mr. Molteno's remarks, and stated that if the second reading only passed, then details could be arranged in committee. By thirty-four to twenty-six votes the Bill was rejected.

We have already seen, in the sketch of his Budget speech for 1870, what care Mr. Southey took to lay the financial affairs of the country before Parliament, but the question of questions was, of course, that of Responsible Government. On the one hand, Sir Philip Wodehouse declared that "Responsible Government was unsuited to the country, and was not desired by it;" while Lord Granville wrote that if the Government could not command the co-operation of the Legislature then Responsible Government was the only alternative. Certainly the Governor was in a most unenviable position. He had already been greatly offended by the Assembly refusing to sanction the vote of £10,000 allowance for the Imperial troops. Public meetings took place in Grahamstown, King William's Town, and East London, and notice was given of one to be held in Cape Town. His honest plan to reject the Divisional Council management of main roads was rejected. Last, and worst of all, the new constitutional measure, carefully drawn up by himself, was thrown out by a large majority.

Government had to bring in taxation bills in 1870, but great delays occurred, and complaints were made of the conduct of business. In the "Life and Times of Sir J. C. Molteno," we are told (vol. i. p. 158), and, of course, this must be taken as the opinion of a partisan—

"This session had again served to bring out in the strongest manner the utter incapacity of all the Government Executive officials, save one, to lead the House. The Colonial Secretary alone showed any tact or capability for the purpose."

It was rather fortunate for Sir Philip Wodehouse, afterwards Governor of Bombay, that he was prepared to leave the Colony. He saw, indeed, that the advent of a different *régime* to that which he approved was imminent. Before leaving Cape Town, in addressing the Parliament, he said—

“I have never been a Colonist. . . . All my sympathies are enlisted in the close connection of the Colony with England, and the movements taking place towards the dissolution of those ties are to me most unwelcome. . . . For any difficulties that I may have unadvisedly or unnecessarily created I hope you will accept my assurances of regret.”

Once again Mr. Southey had to say farewell to a Governor who was indeed a friend. Sir Harry Smith was very different from Sir P. E. Wodehouse, but both were men of high principle and stern integrity, who appreciated the excellent qualities of Mr. Southey.

While Mr. Southey was Colonial Secretary he necessarily carried on a very large demi-official correspondence. To the Agents-General in London he wrote about loans of money and purchases for the Colony, while he also furnished information with regard to discoveries of diamonds and gold. Almost all grades of officials wrote with respect to promotion, increase of salary, etc.—judges, engineers, mayors, Members of Parliament, and private individuals swell the list. The private letter-books are full of courteous, sensible communications. Important correspondence took place with the heads of the police, and agents to native chiefs, while in all cases the secretary's thorough knowledge of the Colony, its people, and the aboriginal natives are strikingly discernible. Only a few illustrative specimens can, of course, be given.

An interesting letter to the Hon. H. Barrington, Knysna (15th December, 1869), begs that gentleman to go on writing to the Colonial Secretary on forest affairs. Mr. Southey then proceeds to say—

“I see now that your opinion is that for protection of the Knysna forest we should have one well-paid man, with three horses, to supervise, be constantly in the saddle, who should be assisted by certain persons residing close to the forests, to be styled Field Cornets or Assistant Field Cornets. Is this not very much the system at present in operation? We have now the C.C.'s of George and Knysna as Conservators, having certain subordinates called Rangers.”

The truth is that the forests were miserably mismanaged, until, chiefly by the efforts of Colonel Schermbrueker, an efficient system of conservation was instituted. A most able forest “expert” was brought out from France\* to instruct the officers of the Department.

The Colonial Secretary goes on to say—

“Field Cornets and Assistant Field Cornets have by law certain rights and privileges, and the Government have little control over them, and less check upon their doings, which involve expenditure; and on that account I am disposed to think that in the interests of economy it would be desirable to abolish the office altogether.”

If Mr. Southey could have seen how shamefully many field cornets attended to the registration of voters in future years, his desire for their abolition would have been intensified.

On 16th December, 1869, there is a letter to Mr. S. Cawood, Grahamstown, urging him to get three-fourths of the Kowie Harbour shareholders to relinquish their shares in order that the Government may be enabled to take over the operations—

“It seems a great pity to delay the completion of the works for a little matter in comparison with the magnitude and importance of the work still to be accomplished, and the benefits that must result to all if we succeed in making the Kowie what we want it to be.”

\* The Vicomte de Vasselot, who had successfully afforested country near the mouth of the Garonne.

A curious application appears from Mr. W. Williams, through the Hon. Wm. Fleming, Port Elizabeth, for a grant of 100,000 acres of land to enable a Society to train up destitute boys and give each of them eventually 100 acres to live upon. Mr. Southey wants more information, and says in a letter, dated 17th December, 1869—

“In this Colony agricultural pursuits have not hitherto been very successful.

\*                    \*                    \*                    \*

“Some persons are now trying the cultivation of cotton and silk.”

The Hon. Samuel Cawood made many experiments, but was not eventually successful in growing cotton in Lower Albany, and in the Western districts sericulture was unsuccessfully tried at Stellenbosch. On 18th December, 1869, Mr. Southey writes to the Agent-General in England—

“I have asked the Secretary of the Cape of Good Hope Agricultural Society to obtain for me a few thousand silk-worm cocoons to be forwarded to the Continent for trial, and to ascertain their value.”

In writing to Mr. Julyan, Agent-General, on 18th December, 1869, Mr. Southey says—

“The elections for the Assembly are now in progress, and so far as they are known, the House promises to be an improvement on the last. Cape Town has returned Porter, Solomon, Eustace, and Stigant; the last is a new member, and Solomon was not in last Session, though he had represented Cape Town before ever since the commencement of our Parliament. He lost his seat last year in consequence of his party attempting too much in the interest of the Voluntary principle.” (Taking away all grants to ministers of religion.)

There are a large number of letters on subjects connected with the government of the Natives. In one to Mr. J. S. Warner (Tambookie Resident), dated 12th January, 1870, Mr. Southey says—

“The killing of two Pondos in Queya’s country, and his stabbing a Fingoe to death and wounding another, because the people of the Kraal resisted his orders respecting certain girls, are matters much to be regretted—at least, the latter. Killing two thieves is not worse, perhaps, than was the custom in England a few years back, when criminals were hanged for much smaller crimes ; perhaps the Pondos did not get so elaborate a trial as would have been the case in England.

\*                    \*                    \*                    \*                    \*

“I do not go with you in thinking that Queya should be deprived of his subsidy on account of them.”

\*                    \*                    \*                    \*                    \*

“We should get into endless trouble if we interfered with his domestic arrangements, however much we disapprove of them. If we were prepared to take in his country and govern him and his people according to our ideas of what is right, I would go for that.”

Mr. Southey argues against giving territory to Kreli. If this were done and the Tambookies got a large upper slice, “what,” says the Colonial Secretary, “would be left for Europeans ? ”

“A small and weak European community would have been a source of constant trouble. Robbed by Kreli on their right, the Tembus on the left, by the Idutywa people and Pondos in front, and by Sandilli in the rear, we should have been for ever in hot water. . . .”

The only practical plan for forming a European settlement was to appropriate for it the whole territory from the sea to Nomansland, and to keep up a strong police or mounted demi-military force.

“As for the Grantees defending themselves, that is nonsense ; they would not have been a month in the country before they would have cried out lustily for help, and all the little newspapers would have joined in the cry, and we should have been pitched into for our cruelty in settling people in such a country without protection.”

He points out numerous errors of policy committed by Mr. Warner, and says—

“ You are too impatient, and expect to get things square at once ; perhaps by the time that you arrive at my age you will know better.

“ Yours,

“ R. SOUTHEY.

“ A happy New Year.”

In a letter to Major Erskine, Colonial Secretary of Natal, dated 11th March, 1870, Mr. Southey says—

“ You don't understand our retrenchment. It consists in a general squeezing—knocking off a few pounds here, and a shilling or two there, and so on. We refused the percentage reduction on salaries, and this session have a considerable majority in the Assembly favourable to our views on that head. Molteno and his tail are nowhere this Session. I should be very sorry to see any of our legislators added to the Executive Council, even if selected by the Governor, and don't see how such a measure can work successfully. They would very soon be thoroughly disgusted with their position, and if they had any spirit, retire.

“ Cotton seems to be going on ahead here too. We expect to send away some hundreds of bales this year. With us it grows everywhere.

“ We expect to have our docks open in a month or two, and to go ahead with improvements at Port Elizabeth very shortly. We shall export a good deal of Angora hair this year. Diamonds are no longer a novelty.”

Writing to Mr. Tinley, C.C., and R.M. of Beaufort West, on 18th March, 1870, Mr. Southey says—

“ Molteno has very little influence in the House this session. He has lost the opportunity of obtaining a strong position as a legislator by the extreme length to which he drove parties last session. Had he been more moderate when he found himself at the head of affairs, he might have retained a leading position, because then he would have been supported by the moderate members, and the House would not have been dissolved. He did not calculate upon the Governor appealing to the country ;

but if he had been a wise politician, he would have guarded against such a contingency."

In a subsequent letter to the same officer he says (23rd April, 1870), referring to purchase of land leases—

"Molteno was too deep for us, but I shall, as soon as I get a little time, see if he cannot be out-manceuvred. You should have written the Surveyor-General. Really I have not had time, and I have had to dance attendance on Parliament from half-past 10 a.m. to 11 or 12 p.m. daily—what with select Committees, etc.—and seldom got home before one o'clock in the morning. . . . I anticipate much good from the Crown Lands Amendment Bill, and also from that about the Washbank land, if we get it through; then, if we carry the Consolidation Act, and then by means of a fixed annual payment not greater than that now needed to pay interest and keep up a sinking fund, provide for the extinction of our funded debt, in thirty-seven years we can apply all surplus revenue to carry out improvements."

Writing to Mr. Julyan (Agent-General in London) on 3rd May, 1870, Mr. Southey says—

"I have been absorbed by Parliament, frequently having had to attend Committees and one or other House from ten in the morning till past midnight. . . . The Session is now near its close, and has not been altogether an unprofitable one. We have passed a Bill to impose a tax on houses, which will yield £20,000 or more, and another to increase duties on stamped documents, from which we should obtain £10,000."

Bills to obtain more money from Crown Lands and to consolidate the public debt had passed.

In a letter to Lieutenant-General Hay, Lieutenant-Governor, dated 9th May, 1870, Mr. Southey says—"The Governor told me yesterday that you had decided upon not coming here by the *Briton*."

He then asks an expression of his wishes respecting the conduct of the public business during the interval between Sir P. E. Wodehouse's departure and his arrival.



“The usual practice has been for the Colonial Secretary, during the absence of the Governor from Cape Town, to dispose of all matters which, in his opinion, did not require special instructions, and to forward to the Governor such papers as needed his personal decision or signature.”

The following is an interesting letter to Mr. H. W. Pearson, M.L.A., Port Elizabeth, dated 8th June, 1870:—

“MY DEAR PEARSON,—I have never been a Separationist, and could never see the advantage to be gained by separation. In the East, hitherto, all the leading men have been too much absorbed in their ordinary avocations to be able to attend much to public affairs, and I fancy that it still is the case. I do not think that there is a prospect of a change of Imperial policy at present. Great changes do take place every now and again, but it requires time to bring them about. I consider the present move is intended to induce the Colony to adopt ‘Responsible Government,’ but it doesn’t follow as a necessity that the Colony should do so. No doubt Sir H. Barkly will favour the introduction of it, but there will be no attempt at coercion. When all the movements of troops now going on have been effected, there will still be two regiments between us and Natal. I wouldn’t advise much stir in political matters just now. . . . The people down East appear to be volunteering greatly; the chief thing to be done, in my opinion, is to take care that every man understands how to ride a horse and use a gun—a lot of drill and uniform is useless expense. In my young days every frontier boy above twelve had a gun, and knew how to use it, and that is what is wanted. In my opinion, it would be better for each male inhabitant to pay twenty shillings a year for a police rate than to pay double or treble that for being a volunteer. Double the police force, and there will be no fear of Kafir wars, unless the force be divided and subdivided by distributing it in driblets among the different districts, as proposed in the Assembly last Session.

“Yours, etc.,

“R. SOUTHEY.”

## CHAPTER VIII.

Frontier affairs—Correspondence—Waterboer's claims and Mr. David Arnot—Diamond field affairs—Correspondence—Mr. Molteno and Responsible Government—Arguments of both sides—Manifesto of the Southey Cabinet—Letter from Mr. Southey—General correspondence.

SIR WALTER CURRIE, the gallant head of the police, retired on full-pay pension, and was succeeded by Commandant Bowker. Writing to the latter officer on 20th June, 1870, the Colonial Secretary says—

“MY DEAR BOWKER,—I will treat yours as an official letter, and refer it to the Attorney-General for his opinion as to the position of the French Missionaries in Basutoland. In Basutoland you are supreme, and if any one comes there to stir up mischief, you can arrest and send them out of the country. . . . You mustn't send them into the Colony unless it be to let them free, but deal with them within your own kingdom. If need be, you could keep any disturbers of the peace prisoners pending a reference here. . . . I am quite at a loss for a successor to you in Basutoland (as Government Agent).”

In a subsequent letter Mr. Southey says—

“I have a strong fancy that the Imperial Government intend annexing Basutoland to Natal, and if we are to have no troops in this Colony perhaps we needn't care much what they do. If annexed, the Parliament of this Colony would be ready at any time to cede it to the Free State, and break faith with the Basutos.”

Writing on Native affairs to Mr. Warner on 22nd April, 1870—

“MY DEAR WARNER,—You express an opinion that things are getting complicated by Gangelizwe getting words from the

Fingoe agents and from the Idutywa agent, which did not tally. . . . How can it be avoided? My original desire was *one head* in the Transkei country, the only medium of communication between this Government and the tribes beyond the Bashee, but the original arrangements made to effect this fell to pieces. I fancy some share of the responsibility rests with yourself. It was you, I think, who just proposed to throw off Krelî, and to be relieved from all supervision of his tribe. . . . Altogether the Governor, after visiting the country and seeing Gangelizwe, arrived at the conclusion that your position in the country was not a beneficial one. . . . I have generally considered that you have helped to break down my system by a want of firmness and patience, and I fancy that if I had been in your position I should not have given up Krelî or the Fingoes under Cobbe. . . . I know that Sir Philip Wodehouse recommended the abandonment of the intention of filling up the Transkei with Europeans, and doing what was afterwards done with Natives, and I know something about the whys and wherefores which you do not. The European settlement would have been made but for the failure at home to carry out the plan for establishing a protective Free State force."

Writing to Mr. Quin, M.L.C., on 28th August, 1870—

"No one appears to know at present why it is that just as two regiments were being withdrawn and all stores hurried away at railroad speed, an order comes to detain a *large* quantity of stores; and we are told that a regiment of infantry is to come here to replace one of those withdrawn."

To Mr. D. P. Blaine, Port Elizabeth, on 24th August, 1870—

"We are for the present to have  $2\frac{1}{2}$  regiments in this Colony. This and the Diamonds will help us.

"There can be no doubt that Port Elizabeth is the proper port for the Fields for people from Europe. . . . A rail from Port Elizabeth by the shortest practicable route into the valley of the Great Fish River, and thence up the river to Cradock, and so on to the Orange River is, in my opinion, the one to suit best."

This predicts the route of the railway made afterwards.

To Hon. T. Shepstone on 29th August, 1870—

“I doubt much whether diamond-digging will pay individuals, and expect to see by-and-by that the fields are worked by large companies or capitalists.”

Another prophecy which was fulfilled.

In a letter to the newly appointed Governor, Sir H. Barkly, in England, on 2nd September, 1902, there is a good deal about drawing-room carpets, covers for furniture, etc., for Government House, to be chosen by Lady Barkly. The subject of troops for the Colony is adverted to, and with reference to finance Mr. Southey says—

“It has been suggested if Her Majesty’s Government would do for us something like what she has done for New Zealand, viz. allow our consolidated arrangements to be made under Imperial guarantee, we should be considerably advantaged by it. Perhaps you might be able to ascertain whether an application to that effect would receive favourable attention.”

To the Hon. Mr. Fleming, Port Elizabeth, on 9th September, 1870—

“Your Port. The Board is working under Andrews’ direction, and I believe Coode advised slow progress. . . . Your description of proceedings makes them look absurd. I am of opinion that every public work of the Colony should be under one head, and that one a Government officer. When, however, it was found that he would not do everything for everybody, Parliament would vote him to be useless, and refuse his pay. . . . As you know, I was always of opinion that Algoa Bay should have been made a port, and connected with other places in the East by railways, instead of expending money at other places on harbour works, and I have got into disgrace with Grahamstown men for holding such opinions.”

Writing to David Arnot on 12th September, 1870—

“It seems to me that in your letter to the Orange Free State Government you have made out a very strong case for Waterboer; and if the Free State has no other claim than that arising from the alleged purchase of Cornelius Kok’s possessions from

Harvey as Adam Kok's agent, they would have a weak one. As regards the Sovereignty declared by Sir H. Smith and afterwards withdrawn, that cannot affect Waterboer, as he was not included by Sir Harry Smith, nor in any way a party to either transaction.

"But supposing all admitted, and that Waterboer's rights have been invaded first by Major Warden and afterwards by the Free State, what is to be done unless the Free State admits the injustice? Already the diggers are talking of forming an independent Republic.

"Under all the circumstances would it not be better for Waterboer and his people to seek to be received as British subjects, as has been done in the case of the Basutos? In the treaty between Waterboer and Kok, the former's boundaries are described as from Ramah to Kies (West), and north to Platberg. The weakest part of Waterboer's case appears to me to be with regard to the line from David's Graf to Platberg. Major Warden suggested that a tract extending ten miles above and ten miles below Platberg, along the river, should be allowed to certain natives who had disposed of their land to Boers. We shall have an Executive Council meeting to-day to consider what shall be done, now that Waterboer has publicly notified his inability, under the altered circumstances of the country, to maintain order; and the Free State does not apparently assume any right of jurisdiction within the country over which the diggers have spread themselves. The result of this meeting may be the issue of a Proclamation setting forth the state of the case, and the appointment of two or more magistrates under provisions of Imperial Act 26 and 27 Victoria, giving jurisdiction over 'British subjects.' It will be necessary to include a large slice of Waterboer's undoubted territory."

To Mr. Henry Hutton, Diamond Fields, 15th September, 1870—

"Brand has issued a proclamation seizing the Campbell lands, by virtue of a purchase from Adam Kok's agent Harvey. So far as documents in our possession go to show, Harvey was not authorized by Kok to sell, nor had Adam Kok any right to the Campbell lands."

To Mr. M. Unger, 30th September, 1870—

“I am glad to find that the notice which this Government has issued respecting territorial claims and rights to the diamond-producing country is likely to prove satisfactory to the people at the fields, and I shall hope to find that they give public expression to their views.”

On 23rd October, 1870, the Colonial Secretary in a very long letter reviews the proceedings of one of the principal magistrates of the Colony. In a very clear and explicit manner he points out grave mistakes and irregularities. In fact, he administers a most severe “wiggling,” and ends thus—

“You will, I know, feel sore at these remarks, but I dare say you have heard the story of John Stanley, one of the settlers of 1820, whose wife used to lead the oxen while he held the plough, and when the oxen got out of the furrow and dragged the plough out of the proper line, he used to administer to her a severe chastisement, always telling her that he did so with much regret, and merely as a duty he owed to her, that it was for her own good, and out of sincere affection he did so, and so on. And you must just believe, as Mrs. Stanley was supposed to believe, that I am criticizing your proceedings with the view of establishing more comfortable relations between us (officially).

“Yours sincerely,

“R. SOUTHEY.”

In an important letter to Mr. Arnot, dated 29th October, 1870, Mr. Southey acknowledges the receipt of seven voluminous letters, and ingeniously argues in favour of Waterboer's claims. For instance, he says—

“The Free State claims the Vetberg line by virtue of what A. Kok did; but A. Kok did not define a boundary between Griquas and Free State, but between Waterboer and C. Kok. According to Adam Kok *then*, and admitted by the Free State—for they adopted his report, although they didn't act up to it—the land south of the Vetberg line was Waterboer's, and north of it, C. Kok's; and it is worthy of note that the Vetberg line

eastward terminated at a beacon of Adam Kok's; and you mark that beacon as just outside of the line from Ramah to David's Grave. . . . The Vetberg line represented the boundary between the territories of Waterboer and C. Kok. The Griquas of Griqualand West, according to Adam Kok's views, possessed land east of the Vaal River and north of the Vetberg line. Adam Kok proposed to consider that land Cornelius Kok's, not Waterboer's. Admit that, and what then? C. Kok was not a Free State subject, and never afterwards became one. Nor does the Free State allege, as far as I can see, that it ever purchased the land from C. Kok. We are justified in considering that Adam Kok considered the lands west of the line from Ramah *viâ* David's Graf to Platberg to belong to the Griquas. Kok held that all he did by his agreement with Sir Harry Smith was to give up his claim to a share of quitrent, and that the undisposed lands in the alienable territory still belonged to him. Sir H. Smith held a different opinion. It becomes needful for the Free State to show how it acquired the land which A. Kok assigned to Cornelius Kok; and as it took possession before the transaction with Harvey in 1861, that transaction cannot be held to have conveyed it.

"Up to the present time all the proofs addressed by the Free State in support of its claim to the land east of the Vaal River are—

"1st. That Sir H. Smith proclaimed H.M. Sovereignty over all the country between the Orange and Vaal Rivers.

"2nd. That Major Warden had granted certificates for three farms (or  $2\frac{1}{2}$ ) within the limits claimed by Waterboer.

"3rd. That the Free State Government has by resolutions and public notices laid claim to the land; and

"4th. That it has appropriated it, and it is now occupied by Free State farmers.

"As regards Sir H. Smith's proclamation it was expressly stated that it was only Sovereignty that was to be assumed, and all persons were guaranteed in their rights of property; but, apart from that, Her Majesty did not confer her rights of Sovereignty on the Free State. The Sovereignty extended over Adam Kok, Moshesh, and others, all of whom, when her Sovereignty was withdrawn, became independent chiefs, and not subject to the Free State. If, therefore, our Sovereignty

extended over Waterboer's territory east of the Vaal (which I do not think it did), that ceased when we withdrew. Waterboer's rights were as they had been before the Sovereignty was proclaimed.

"And the other three proofs (?) are, of course, no proofs at all of lawfully acquired rights.

"It is not much to be wondered at that under such circumstances the Free State objected to submit to arbitration. The only chance for Waterboer and the Natives generally to be able to keep possession of their lands will be by Her Majesty taking them over. The Boer States, when they take in Native territory, take the land as property and not the people, except as servants; they must go elsewhere. We, on the other hand, uphold the Aborigines' right of property, and only govern them and tax them to pay the expenses of Government."

Letter to Mr. P. L. Buyskes, Diamond Fields, dated 31st October, 1870—

"Mr. John Campbell has been appointed a Magistrate for the country, and will shortly be on the ground. I hope to be in a position to aid and support the diggers in their exertions."

To Mr. Vowe Smithfield, 29th November, 1870—

"Free State Government is much put out in *re* Waterboer, but made a mistake in seizing all the country by proclamation. If they had submitted the dispute to arbitration, and abided the result, we should not have had to move at present."

To Mr. John Campbell, Magistrate and Administrator, Diamond Fields, 29th November, 1870—

"I would recommend that you stick to your office, and do all by advice as much as you can. I would allow the diggers to settle matters among themselves if they desire it, and can do so. You might in many cases probably act as a sort of arbitrator, even in cases of a criminal character, which in this Colony would involve imprisonment, and let the cases be settled by fines. This would not apply to crimes of a serious nature, such as murder, robbery with violence, etc.

\* \* \* \* \*



“It will be well for you to act as much as you can in concert with the Diggers’ Council, or any other “popular” authorities among themselves, and to get culprits brought before you by this means. Don’t get into any conflict or quarrel with the Free State authorities.

“Arnot has done a very stupid thing in writing threatening letters to Nicholson and the President of the Free State.”

The difficulty of managing Native affairs is illustrated in a letter from the Colonial Secretary to Mr. C. A. Smith Balfour, afterwards one of Mr. Molteno’s Ministers,\* dated 31st January, 1871—

“We get from Fynn Kreli’s case, then from Blyth Gangeliswe’s case, and these are directly opposed to each other, neither Kreli nor Gangeliswe, any more than our lawyers, considering it necessary to adhere to plain facts. Then, perhaps, we get from Cumming his views, and from Warner his, and these again may be as widely different as Kreli’s and Gangeliswe’s. Under all these circumstances the Governor has decided on placing an Agent with Gangeliswe.

“I shall endeavour to make Gangeliswe settle his account with Kreli for ill-treatment of the daughter. My opinion is that we should take in and govern the whole country up to Natal.

“A little war between Kreli and Gangeliswe, if others could have been kept out of it, might not have been mischievous, but the reverse.”

The letters of Mr. D. Arnot to Mr. Southey would fill volumes. He seemed to possess the *cacæthes scribendi*.

Writing to Sir Henry Barkly *en route* to the Diamond Fields, 23rd February, 1871, Mr. Southey says—

“The revenue of 1870 exceeds that of 1869 by £103,022, and is in excess of our Estimate by £117,626; under Expenditure you will perceive that under many heads it has been less than the estimated amounts. The excess under the head of Revenue is consequent on the House Tax Act passed last year.

\* Subsequently Auditor-General of the Cape Colony.

“You will see that Land Revenue exceeded our Estimate by £11,000. We tried to get these matters out of Parliamentary votes. The Assembly did not adopt our proposition. The Members interested in land matters said that this would deprive them of opportunities for interfering periodically in the mode of disposal of them, and so earning ‘an honest penny.’”

Writing to Major Erskine, Colonial Secretary, Natal, on 8th March, 1871—

“Our income last year exceeded our expenditure by £40,000, and we shall have to guard against reckless voting of expenditure next Session. Of course, Mr. Coode has condemned your Harbour Works, and so he did ours at Port Elizabeth; but then there was this to be said at Port Elizabeth, every one else had condemned them, except perhaps a few interested in the expenditure, who did not care what happened so long as the money was spent and they got the lion’s share of it. My notion respecting these things is that with the grumblers it is the expenditure of money in their localities that is really desired, and the success of the works is a secondary consideration. Still, our docks here are entirely a success.

“Sad loss of life at one of our towns (Victoria West) by a waterspout the papers say, but I think a very heavy thunderstorm; fifty or sixty people drowned, and a quarter of the village washed away.”

To Sir H. Barkly, King William’s Town, 11th March, 1871—

“I was not surprised that Waterboer or Arnot tried to drive a good bargain. The latter has on several occasions hinted strongly at advantages for himself and others to be secured when we take over, such as a good salary in an official capacity with Waterboer, etc., but I do not anticipate any real difficulty on that head. Without us they are helpless. If Arnot retains and gets title to the lands Waterboer has given him, he will be a lucky man.”

Evidently Mr. Southey was the real mainstay of the British Government in its dispute with the Free State

about the Diamond Fields. Writing to Sir H. Barkly on 11th March, he says—

“I will prepare and forward to you a draft reply to Brand’s letter of the 4th inst. I was glad to find that you had succeeded with Pretorius so well. Brand must ultimately come to some arrangement of the kind, but his case is so weak that I am not surprised at his resisting it by all means in his power. The reason why we extended Campbell’s jurisdiction up to the Hart and Vaal Rivers beyond Waterboer’s claims were that there existed no civilized government there. The territory was claimed by Pretorius, but owned by Aborigines, who owed no allegiance to him.

“I will fix a day for the meeting of Parliament, and announce it in next *Gazette*.”

A long letter to Mr. Campbell, Diamond Fields, 23rd March, 1871, deals, among other matters, with the claim of the Transvaal to the Diamond Fields—

“It would be desirable to ascertain what lands Montsioa and his people took possession of, and what the Boers, after they had succeeded in driving out Moselikatze. So far as I can understand, neither of them were in occupation of that between the Hart and Vaal belonging to the tribe of Mahurah. It cannot, in my opinion, be held that Montsioa ceded the land to the Boers. It was not his to cede. No Boers crossed the Vaal River till after 1842, and when they did cross they did so above the line claimed by Mahurah, and never occupied within that line, or attempted to do so, before the discovery of diamonds; and Pretorius’ letter to Doms corroborates that view.”

Letter to Mr. Campbell, Diamond Fields, 30th March, 1871—

Commandant Bowker is on his way back to you with two or three hundred police, spare arms, etc. His Excellency has determined to resist by force the attempt of the Free State to coerce British subjects into an acquiescence with its unjust demands, but is quite prepared to submit the territorial question to arbitration. In the event of hostilities we should not only

have to employ police and troops, but bring down the Basutos with a view to recover their lost territory. Urge forbearance, so that if fighting there must be we should not commence it."

Letter to Mr. D. Arnot, 6th April, 1871—

"I was surprised to find that His Excellency had forgotten all about Mahurah's people and the reasons why he had given Campbell jurisdiction over a portion of their territory, and that both His Excellency and Campbell agreed that this was a mistake! The fact is that Sir Henry forgot his lesson. . . . I have written to him."

Mr. Southey goes on to say—

"I have no doubt that he sees now things as they were. You seem to think that we are acting with too much caution, but you must not forget that there is the Home Government and our own Parliament to be satisfied."

In a letter to Mr. T. H. Bowker, 20th April, 1871, Mr. Southey predicts the route of the future railways, and that Grahamstown will be left out in the cold. He concludes by saying—

"Depend on it, Grahamstown's true policy is to unite with Port Elizabeth as closely as possible; and if she had tried that plan during the last twenty years, instead of keeping up a spirit of antagonism, she would be better off to-day."

Earl Kimberley, the Secretary of State, had chosen Sir Henry Barkly to be Viceroy in the Cape Colony because he had earned the character of being "a very judicious Governor." He perfectly understood that he was to favour Responsible Government, and in fact was sent out to do so. Her Majesty's Government were of opinion that Colonists would act wisely in adopting Australian and Canadian principles of self-government. In his speech at the opening of Parliament, Sir Henry Barkly did not, however, assume a decisive tone, but merely referred, certainly in a suggestive manner, to the anomalous relations existing between the

Executive and Legislature. Griqualand West might probably be annexed to the Cape Colony; Basutoland certainly should. The revenue showed a surplus of £35,000, and general prospects were improving.

Mr. Molteno lost no time in moving that the period had arrived for Responsible Government, and as a sop to the Cerberus of the East added a rider to the effect that a commission should be appointed to consider the expediency of Federation. A fierce debate in the Assembly continued for seven days. Mr. J. X. Merriman denounced Responsible Government, referred copiously to Australian newspapers for the purpose of showing how this system had proved a failure there, and declared that the Cape Colony was totally unfit for it, because it was a mass of corruption and ignorance. Mr. Abercrombie Smith's five objections were (1) want of education, (2) no independent thought, (3) defects in the management of the Divisional Councils, (4) the moral state of the Colony, and (5) the mixture of races. After Mr. Molteno had made what his biographer styles "an effective and crushing reply," Mr. Southey at considerable length defended Sir Philip Wodehouse's administration, and the enthusiastic Mr. Porter, full of romantic faith in the people, concluded the debate by declaring that "the present system was rotten to the core." The resolution was carried by thirty-one against twenty-six votes. A draft Bill was prepared with Mr. Porter's help, of which Mr. Molteno took charge, and it was carried by a majority. On reaching the Legislative Council Conservative instincts prevented it passing, and it was rejected there by twelve votes to nine. Sir Henry Barkly in one of his despatches says that the majority comprised eight Eastern and four Western representatives, and the minority seven Western and two Eastern only, so that, as usual in this Colony, the question may be said to have resolved itself into the old struggle between East and West. Vainly did the East call out for Federation or Separation.

To a certain extent the arguments in favour of Responsible Government were based on optimistic sentiment. Mr. Porter said—

“I do expect that fresh vigour and fresh energy will be infused into the body politic, and that it will carry the Colony forward on the path of progress. I wish to see a strong Executive, I wish to see a career open to Colonial talent, and to see the character of Parliament raised by making the public services in it the honourable road to high political office.”

Mr. Molteno arrayed his arguments well.

“Business stands a better chance of being done properly by those who, living on the spot and knowing all the circumstances, can better understand it. . . . We are in a much better position to act wisely for ourselves than any man, however wise he may be, who lives at a distance. Something was evidently wanting in the Constitution to make it work efficiently, and the present abnormal, inharmonious condition of affairs should be terminated. In desiring the Colonists to adopt self-government, the statesmen of England wished to strengthen the bonds that unite the dependencies to the home country. Their state of pupillage had lasted fifteen years, and it was impossible to go backward, and now full time to show that they no longer required a nurse from Downing Street to guide their steps.”

As this subject is one of the greatest importance, it is well to publish the following grave and weighty reasons against the introduction of Responsible Government in the Cape Colony, contained in a Minute dated 26th April, 1871, signed by Mr. Southey and three other Members of the Executive Council. In this important document it is pointed out that any failure which may have occurred hitherto in the form of the existing form of Government is referable, in great part, to circumstances which may be specified as applying much more strongly to the proposed form of Government by Parliamentary majority, such as the sparseness of the population, the preponderance of native coloured races,

want of education, diversities of race and language among the white inhabitants, want of public opinion, difficulties of communication, inability of the best-informed and most competent Colonists to leave their homes and avocations to take part in public affairs without ruin to their private interest. These were in part foreseen, and are adverted to by the Lords of the Committee of the Privy Council on Trade and Plantations in their Report of the 30th January, 1850, accompanying Earl Grey's despatch to Governor Sir H. G. Smith, on the 31st January, 1850. But we submit, they say, that whatever the opinions or action of either House of the Parliament from time to time have been, or may be, on this question, this Legislature is not, in the actual circumstances of the Colony, the tribunal by which such an issue should be decided; and that the question should be considered and decided by Her Majesty's Government, upon its own responsibility, in reference to the fitness or unfitness of the Colony for so momentous a change.

Then come statistics, which show that the total of Europeans was only 181,000, and of Natives 314,000, exclusive of Kaffraria, in which there were 78,000 Natives and 8000 white. In round numbers, out of a fixed population of 580,000, two-thirds are still in a state of barbarism or semi-barbarism. The effects of this numerical preponderance of Natives might be very serious, as the franchise extends to all male inhabitants who occupy fixed property of the value of £25 (not annual), so that it is almost equivalent to universal occupation suffrage. Only 65,000 people could read out of a population of 496,000.

“As regards sparseness of population, the population in the square mile was only 2·82. The Dutch-speaking majority of the population for the most part entertain strong prejudices against English habits and institutions. The two neighbouring Free Republics have been peopled by immigrants from this Colony, who have left it chiefly owing to their antagonism to English laws and customs, which impose a control, of which they are

impatient, in regard to their treatment of the Native races ; and their countrymen still form the great majority of the white inhabitants of the Colony.

“The feelings of antagonism between the white and black population, particularly in some of the frontier districts, both north and east, are very strong ; so much so, that in some parts it is scarcely held criminal for the white man to shoot a native who is suspected of depredation. That such feeling should exist is no matter of surprise to persons who have lived long in the country, for they know that the depredations of the frontier Natives upon the property of white inhabitants are very ruinous.

“Again, public opinion hardly exists in this Colony. A few persons in the towns will, for a long period, influence the elections in favour of political aspirants who are ambitious to qualify themselves for the struggle for office, in which the most competent and best qualified of the Colonists cannot, and will not, engage. The instability of legislation and policy, which is too characteristic of the present constituencies and Houses, will be intensified under any Administration which has to maintain itself by Parliamentary majorities ; and no such Administration will be able to maintain its stability except by expedients ruinous to the best interests of the country.

“It is impossible now for the best qualified men in the outlying districts to attend Parliament for three or four months ; it would be utterly impossible for them to accept offices in a Ministry ; and, virtually, more than is the case at present, the government of the country would devolve upon a few persons resident in and about Cape Town, to the intense dissatisfaction of the Eastern Districts.

“We submit that the facts and considerations we have adduced show that the Colony is wholly unfit for the change in its form of government now proposed ; and further, that the dangers to be apprehended from the premature attempt thus to get rid of very minor difficulties attending the working of the present Constitution are too momentous to be risked upon the decision of its existing Legislature.

“We deprecate any change which shall reduce the influence of the Crown in this Colony, which we regard as the chief bond by which its heterogeneous elements are held together.

“To surrender this restraining influence will, we believe, lead



to disturbance and strife of races within and without the Colony, annihilate English interests, and, looking upon this Colony as the chief standpoint for the spread of peace and progress in South Africa, will hopelessly throw back the civilization of a large area of this vast continent.

“We have felt it our duty, as Colonists and servants of the Crown, to record thus unreservedly, for the information of those by whose policy we must submit to be guided, our conscientious views and convictions.

“Be the issue what it may, we trust that we shall stand discharged of the consequences of political changes in their nature irrevocable, which we regard as fraught with the utmost danger to Colonial, and to more than Colonial interest; and that we shall be acquitted of exceeding our duty to Her Majesty’s Government and the Colony in urging, if there be yet an opportunity, that the present policy of Her Majesty’s Ministers may be reconsidered.

“R. SOUTHEY, Colonial Secretary.

“J. C. DAVIDSON, Treasurer-General.

“E. M. COLE, Auditor-General.

“R. GRAHAM, Collector of Customs.”

The Attorney-General (Mr. Griffith) sends in a separate Minute, in which he says—

“The Dutch, who are in a large majority, are for the most part ignorant of the English language, and entertain strong prejudices, if not against English people, at least against English institutions, feelings, and habits of thought. Regarding themselves as the lawful occupants of the country, they desire to keep Africa for themselves, and to keep down English interests and institutions. This is certainly true, as a rule, of the population of the remoter districts, who, after all, form a majority of the white portion of the constituencies. But the central and most immediate difficulty is in the very sparsely inhabited state of the country, added to the utter ignorance and want of education of the people. There would be a scramble for office among men who take to politics as a trade.”

The following special Memorandum, written about the same date by Mr. Southey, bearing reference to a confidential

despatch sent by Sir H. Barkly to the Secretary of State, is of considerable interest :—

“ I beg to tender my thanks to His Excellency for so readily acceding to the request made in my note, and causing me to be furnished with the draft of His Excellency’s confidential despatch to the Right Hon. the Secretary of State for the Colonies of the 14th August last.

“ The length of time that has elapsed since that despatch was transmitted to Lord Kimberly, and the still greater lapse of time between this date and the occurrences in Parliament to which allusion is made, added to the circumstance that the despatch is a confidential one, in which the conduct of the Members of the Executive Council generally, and of myself and the Attorney-General in particular, is brought to the notice of the Secretary of State unfavourably, with regard to occurrences upon which we had not previously been afforded opportunities for offering official explanations, places us as a body, and myself individually, in a very unenviable position.

“ It would, I conceive, be unbecoming on my part (were I disposed to do so, which I am not) to criticize the views and opinions of His Excellency as enumerated in the despatch. I shall, therefore, confine myself to a few remarks upon the matters in which my own conduct is more particularly mentioned. I would first, however, desire to say that His Excellency appears to me to have misapprehended the object which the Members of the Executive Council had in view in desiring to have placed on record the fact that the several important measures alluded to had been adopted without consultation with the Council. The Members of Council did not desire to complain of not having been consulted, much less to appear to thrust their opinions upon His Excellency unasked ; all they wished was to have a record of the fact, so that in the event of the action taken being hereafter shown to have had an injurious tendency, they would stand exonerated from responsibility, which they feared might not be the case in the absence of any record, seeing that the Royal Instructions appeared to require that in such cases there should be a record.

“ In the early part of the despatch His Excellency states as a reason for not deeming it advisable to consult the Council, that

the Members had evinced a disinclination to co-operate in carrying out the special instructions of the Secretary of State, as representing Her Majesty, after the pleasure of the Crown had been distinctly made known.

“I am not conscious of having been guilty of this. I certainly did not desire to see a change in our form of Government forced upon the Colony against the wishes of a large majority of its people; nor did I think it desirable that the Executive Government should actively aid any particular party in our House to endeavour to accomplish such an object, and I was under the impression that the views and opinions of H.M. Government were in accord with those sentiments.”

Lord Kimberley, in his despatch of the 17th October, 1870, states distinctly that Her Majesty's Government leaves it to the Colonists to decide in which direction their form of government should be changed, after the expression of an opinion that the establishment of a system of Responsible Government or the administration of the Colony as a *quasi* Crown Colony would be far preferable to the present system. And His Excellency in his opening speech gives utterance to the same sentiments. Mr. Southey goes on to say—

“I cannot gather from these documents either that the pleasure of the Crown had been distinctly made known in respect to the change of government proposed by Mr. Molteno, or that there were any special instructions of the Secretary of State to co-operate with him and his party in effecting it; but, on the contrary, the question of change, and what change, was to be left to the Colonists to decide upon.

“I am not aware that the Members of the Executive, who have seats in Parliament, were under any ‘promise’ not to interfere during the debates on the Responsible Government question. I had during conversations with His Excellency expressed my intention to avoid doing so, and so had, I believe, the other Members who naturally take part in Parliamentary discussions, and it was my anxious desire to have done so, and when at last I did say a few words it was not in defence of the ‘policy’ of the Government of Sir P. Wodehouse, but of their

*acts*, which had been misrepresented. If I had sat still and permitted those misrepresentations to go forth as facts I should have tacitly admitted their accuracy, which it appears His Excellency alludes to. A paragraph in the *Grahamstown Journal* indicates that some Members of the Executive Council had divulged the transactions of that body, but as what is asserted by this journal did not take place in the Council, we must, I think, stand exonerated.

“As before stated, it appears to me that His Excellency’s despatch has been written under a misapprehension of the wishes of the Members of the Council in seeking to have placed on their records the fact that they had not been consulted. Still, I think I ought to remark very respectfully upon the reasons assigned by His Excellency for not consulting his Council before acting upon the Molteno-Scanlen Resolution of the Assembly. His Excellency did not consult the Council, because it could not be supposed that the slightest possible advantage would have resulted from such a course. On the contrary, I was fully aware, from the conversations I had had with those gentlemen (the Attorney-General and Colonial Secretary), that the Executive Council would recommend that the Resolution of the Assembly should be transmitted by me to the Legislative Council, with a message inquiring whether the latter body concurred therein; but as this was the very step which the friends of Responsible Government considered would prove at once fatal to the further progress of the question which they urged it was most desirable it should at length come before the country in the shape of a substantive Government measure, I should have felt bound to reject such advice from the Executive Council in favour of the latter opinion, possibly in terms which might have given umbrage as inferring a doubt of the sincerity of the motives on which that advice was founded.

“In this paragraph His Excellency appears to convey to the Secretary of State an opinion that his Executive Council would, from improper motives, have advised him to adopt a course which under the circumstances, in His Excellency’s opinion, it was not desirable to adopt, because the friends of Responsible Government considered it would prove at once fatal to the further progress of the question.

“I cannot but think that on further consideration His

Excellency would desire to withdraw so serious an imputation, as the above strikes me to be, on the character of the Members of the Council, for I feel assured that His Excellency must admit that whenever he has consulted his Council on any question whatever, the Members have given advice to the best of their judgments, and unbiased by political or personal considerations of any kind. We have never concealed our opinions on the particular question of the fitness of the Colony for the change in its form of government desired by Mr. Molteno and party, and if we had advised, as His Excellency concluded we should do, I am convinced that we should not have concealed our motives, but, on the contrary, should have openly stated that we believed the Council would not concur in the Resolution; but that notwithstanding we considered the Council, as a representative body equally with the Assembly, was entitled to be consulted, and that such consultation would be in accordance with the Secretary of State's views as conveyed in the despatch before referred to, as well as the sentiments of the Governor's opening speech.

"I am disposed, however, to think that if the question had been fully discussed in the Executive Council, the result would have been different to what His Excellency anticipated, and that the Council would have confined itself to advising that His Excellency should simply do what by the Resolution he was asked to do, viz. to appoint 'a commission to inquire;' but whatever the advice may have been it would have been open and candid.

"The Bill was, as His Excellency says, before being sent to the Assembly, placed in my hands. It occurred thus. I waited upon His Excellency, as usual, in the interval between attendance at Select Committees and the meeting of the House (some time between twelve and two o'clock) to consult on public matters, during which His Excellency mentioned that he was going to send down that day the Responsible Government Bill, that it was then being copied by his private secretary, that he had made some alterations in the original draft of it, particularly as regards the retirement of the present Executive officers, etc., and added that I might read that part of it if I liked. He sent for it and placed it in my hands, and I looked over the part referred to. While doing so His Excellency said I might read the whole if I liked, but as I had very little time to spare, and the Bill was

still in the rough, I did not do so. Before leaving I said to His Excellency, 'I suppose they (meaning the Molteno party) will move it on,' to which His Excellency replied, 'I suppose so; when I have sent it down I have done with it.' With this understanding I left. The House met, as usual, at two o'clock, and soon afterwards the Bill was brought in, read a first time as a matter of course, after which the Speaker, looking at me, said, 'What day do you fix for the Second Reading?' I made no reply, expecting that Mr. Molteno or some one of his party would name a day, but they remained silent, and the Speaker repeated his question. Upon which I said, 'It is not my Bill.'

"If I had attached any importance to the mere words used in replying to Mr. Speaker, or had supposed that those I did use meant anything more than that I had not charge of the Bill, I might have couched my reply in other terms, but no such idea occurred to me. I was under the impression that it had been arranged between His Excellency and Mr. Molteno's party; that the measure was not a Government one, but one sent in by him at their request, and that, as His Excellency had said to me when he had complied with that request, he had done with it, and they must do the rest for themselves. I had no doubt whatever that Mr. Molteno well knew that the officers of the Executive had had no share in preparing the Bill, and, in fact, possessed no knowledge of its contents; but I could well understand his desire to compel them, if possible, to urge on the Bill, and the remarks I subsequently made in defending myself from the attacks of Mr. Molteno applied to his knowledge of all these circumstances, and meant that he was fully aware, from his frequent interviews with His Excellency on the subject, that I had not charge of the Bill; and the remarks I made about the way in which the Resolutions had reached His Excellency implied no ignorance of its having been sent by the usual course, but to the way in which it got out of the House. There was a very strong, and, I believe, a very general opinion entertained by Members of the House, in which I then concurred, and do still concur, that Mr. Speaker should not have forwarded the Resolution to His Excellency until after a distinct motion to that effect had been adopted by a majority. There was nothing in the main Resolution to indicate a desire that His Excellency should be requested to do anything. I believed, and said so, that

pressure had been brought to bear upon the Speaker by the friends of Responsible Government, with a view to deprive the opponents of the measure of the opportunity for further discussing it upon a motion to send the Resolution to the Governor with a request that he would send in a Bill. The Resolution as framed did not do this, and the Bill was sent in, not at the request of the House, nor as a Government measure agreed to in Executive Council, but at the request of the leader of the Responsible Government party, who had succeeded in avoiding another discussion in the Assembly, and, as I now find, had informed His Excellency that to ask the Legislative Council to concur in the Resolution would have been fatal to the further progress of the question.

“I confess that if I had been consulted as to the course which the Governor should pursue under such circumstances, and bearing in mind that the Secretary of State’s despatch and the Governor’s opening speech both informed the public that the question of a change in their form of government and what that change should be was to be left to the decision of the Colonists, I should have been unable to advise the adoption of the course that was pursued, but, on the contrary, should have advised that His Excellency ‘without bias’ should have left it to the framers of the Resolution to introduce a Bill themselves.

“As to the matter of Federation, I admit that I am, as, I believe, very many who talk and write about it are, thoroughly ignorant of what the views, if they have any definite ones, of its promoters are, or as to what sort of scheme of federation could be adopted which would prove beneficial to the Colony. I can well understand that the Colony might be divided into two or three more parts, such sub-division being a separate local administration, and that these might be united under one general Government for certain purposes ; but whether or not the Colony as a whole would be benefited by such a process is an open question, and one to which I could have no objection whatever to have discussed in the Council, nor ultimately to have agreed to the appointment of a Commission to inquire and report upon it. I have held, and I believe my views have been in accord with those of Her Majesty’s Government upon the subject, that at least while the existing form of government lasts it was

better to keep it whole and strong than to cut it up into several weak provinces ; but I should change my views to some extent if what is called Responsible Government is to be forced prematurely upon us.

“ I can also, of course, understand that this Colony might join in a federation scheme with Natal and the neighbouring Free States, but the questions of the advantages and disadvantages of such a scheme are large questions demanding full and fair inquiry, and ought not to be hastily decided upon.

“ R. SOUTHEY.”

Mr. Southey was strongly supported in his opposition to Responsible Government by the English portion of the community. Port Elizabeth and Grahamstown took the lead, and expressed strong opinions in favour of federation, but Sir Henry Barkly, in reply to a petition on the subject, declared that Responsible Government should precede it. However, in proroguing Parliament the Governor said he would welcome any well-considered scheme for bringing about necessary changes, and was not wedded to any pre-conceived plan.

It was in the Session of 1871 that the annexation of the Diamond Fields was determined upon by a majority of two, although opposed by Mr. Molteno. The Government, however, did not feel strong enough to bring in the Bill necessary for carrying out the object of the resolution.

A letter to Mr. Innes, C.C., Bedford, 6th May, 1871, refers to a burning question in the Eastern Districts.

“ We must try to do something to diminish stock-lifting or the destruction of it for the sake of the skins. Passes and certificates will never reduce the evil. I don't believe that King's Cattle-removal Bill has done the least good ; but the contrary, and its proper title should be a 'Bill to facilitate the removal of cattle,' for there appears to me more stealing now than there was before, and less detection.”

To Mr. D. Arnot, 29th June, 1871—

“ Mr. Campbell has forwarded from time to time satisfactory



information relative to the progress of the inquiry, by which it seems that, so far as Waterboer is concerned, his claim is substantial. You will be glad to hear that His Excellency has received from the Secretary of State needful authority to enable him to act, with the concurrence of our Parliament, in the matter of annexation. We shall soon submit a scheme."

To Mr. Julyan, Agent-General, London, 4th August, 1871—

"We have had a stormy and, on the whole, unprofitable Session, chiefly owing to an attempt to force on a change in our form of Government, contrary to the wishes and wants of a large majority of the people—chiefly those down East and near the Kafir frontier. This measure has taken up a large portion of the Session, and ended in being rejected by the Council. Our finances continue favourable, and area of Diamond Fields extending."

To Sir Henry Barkly, Cape Town.

"Wynberg, 10th August, 1871.

"Of course I do not concur in the views expressed generally (in draft Prorogation Speech) on the Government, or that the House of Assembly represents the feelings of the Colony more closely than the Council, but believe the reverse to be the case."

To Mr. Julyan, 20th September, 1871—

"We tried last Session again to get Parliamentary authority to purchase the Cape Town and Wellington line, but only succeeded in obtaining authority to negotiate, and we can therefore only ask you to try and find out at what price the Company will sell. As regards harbour works, the House of Assembly desired that they should be subject to Mr. Coode's directions, and carried out under the management of some one to be sent out by him. The Governor, however, thinks that our Chief Inspector should supervise, and that the person Mr. Coode sends out must be a sort of Clerk of Works."

To Mr. T. Bowker (head of the Mounted Police) 29th September, 1871—

"Move up towards the Diamond Fields ; not necessary to go

at railway speed by post-cart. It will take a little time here to prepare before we issue the Proclamation; and although we must be prepared to defend our measures by force, if need be, I would rather that the appearance of fighting or using force should commence on the Free State side. As regards the Diggers, I think that it will be best not to discuss with them the prospect of having a fight until it is sure that the Free State intends violence. The Diggers are British subjects, or, at all events, the mass of them. We cannot expect much more from them than to act on the defensive. If we want to capture Bloemfontein, we shall need other aid. The pay of the Police is intended to cover all costs. That was the foundation of General Cathcart's plan when the force was originated, and if we let in the small edge of the wedge, and supplement the pay by a little for this and a little for that, we shall do more to break up the force than has ever been attempted by any Member of the Legislature."

## CHAPTER IX.

Mr. Southey's Memorandum on the claims of the Free State to the Diamond Fields—Sir Henry Barkly's comments—Mr. Campbell's letters—Correspondence—Keate's award—Arnot's letters—Session of 1872—Responsible Government carried—Letters from Mr. Southey and Sir Henry Barkly—Mr. Southey declines to take office under new *regime*—Responsible Government, Sir H. Barkly and a summary of the situation—Mr. Southey made C.M.G., receives a pension and flattering testimonials.

ON the 20th January, 1871, Mr. Southey wrote the following important Memorandum bearing reference to the claims of the Orange Free State to the Diamond Fields:—

“MEMO.—In President Brand's letters respecting the boundary disputes between himself and Waterboer, he has invariably maintained that the territory on the left bank of the Vaal River, and generally alluded to as being within the ‘Vetberg Line,’ was, beyond dispute, the property of the Free State, and had been in the undisputed occupation of Free State subjects for the last twenty years, etc. This was particularly urged in the Protest sent to the Secretary of State for Foreign Affairs, and in consequence we asked for extracts from his Land Register, showing what lands there were within the Vetberg line, the dates of grants, etc.

“With Mr. Brand's letter of 18th inst. we have received a list of fifty-six farms said to be within the first line, and in the letter Mr. Brand says it is an abstract taken from the books of the Registrar of Deeds, and the Registrar of Deeds certifies that it is a ‘true account of what is to be found in our Land Registry respecting the before-mentioned farms!’ Yet with respect to the very first on the list (No. 1) it is shown that it has never been registered in their books at all!

“Four others, Nos. 44, 45, 49, and 56, have merely the names of the farms registered. No sales, or grants, or present owners.

“ With respect to all these farms, it is worthy of remark that they are alleged in the books of the Free State to have been granted or sold by Cornelius Kok, up to as late as the year in which he died (1859), thus admitting apparently that C. Kok exercised Sovereign rights within the Vetberg line up to the day of his death, notwithstanding the assertion of Mr. Brand that the country was then in the undisturbed possession of his Government.

“ In a large majority of these cases the farms are alleged to have been granted or sold by C. Kok to Griquas, his own subjects, and they appear to have sold to persons who never got the farms registered in the Free State books, and some of these transactions have been as late as 1864 and 1865, *i.e.* up to these dates farms within the territory claimed by the Orange Free State as having been in the undisturbed occupation of its subjects for the last twenty years were the property of Griqua subjects (so-called) of C. Kok, by virtue of grants from C. Kok, some of which grants were made during the years 1858 and 1859.

“ How is it possible that Mr. Brand can hold, under these circumstances, that these farms are within the Free State Territory? According to their own showing they were, up to the time of being sold to persons who got them registered in the Free State books, within the limits of C. Kok's jurisdiction, who had, and exercised, the right of disposal either by sale or free grant.

“ The Free State appears to hold that when a European obtained a farm from a Griqua, and sought to register it in the Free State books, these transactions made the land Free State territory; and it was not even necessary that the purchasers should be Free State subjects, for I observe that many of them were Englishmen, and some of the farms are still the property, according to the Free State books, of British subjects residing within the Colony, and never have, apparently, stood in the names of Free State subjects. Take a case (and there are many such on the list). W. H. Coleman, a British subject, proceeds from this Colony to the Free State and opens a place of business, supported by Dunell, Ebdon & Co., of Port Elizabeth. Coleman purchases a farm within the disputed limits from a Griqua, who obtained it by gift from C. Kok in 1856; Coleman then gets the farm registered in the Free State books,

and transfers it to his principals, Dunell, Ebden & Co., of Port Elizabeth. See cases Nos. 4 and 5 on the list.

“Or take No. 35, Pniel. The Berlin Missionary Society was in occupation of that place long before Sir Harry Smith’s Proclamation of 1848—by permission obtained from some Native Chief, some say old Waterboer. Yet in August, 1857, the Society is alleged to have purchased the place from C. Kok, and to have got it registered in Free State books in October, 1857. How is it possible that that purchase can have made the place Free State territory? The Society is a Foreign one.

“Waterboer holds that many of these transactions were fictitious, or fraudulent, that there were certain Griquas able to write who manufactured Deeds of sale or grant by C. Kok (who was himself unable to read or write) or, in his name, to themselves or to any one, and then sold either for themselves or, as Agents to Boers, or to any one who would pay for them; and as an example of this, attention has been drawn to the case marked No. 55 on the list. According to the list this farm was sold by Captain C. Kok on 15th June, 1855, and transferred on 18th August, 1860, to W. J. Smit. Some original documents in this case got into the hands of Mr. Arnot, who forwarded them to me.

“By these it will be seen that Cornelius Kok’s mark is put to a document purporting to be a deed of sale of the farm Vaalbosch Pan to William Smit, and his mark is put a second time to denote an acknowledgment of having been paid the purchase-money. The document is in the handwriting of W. O. Corner, who signs as witness, and it is dated 10th January, 1855.

“Below this and on same paper is a certificate by the Registrar of Deeds at Bloemfontein (whose handwriting I know) stating that it was transferred at Fauresmith on 26th July, 1860, and at Bloemfontein provisionally on 18th August, 1860.

“The water-mark on this piece of paper shows that it was manufactured in England in 1856, or at least a year after the date of the document written upon it! Then it was transferred in 1860, by virtue of a Power of Attorney granted by W. O. Corner, to J. A. Hohne, he (Corner) acting under a Power of Attorney granted to him in 1856 by Cornelius Kok. C. Kok died in 1859 (I believe; I haven’t documents here), a year before his power is used!

“The Free State says the territory within the Vetberg Line has been in the undisturbed occupation of its subjects for the last twenty years, and their Courts have exercised jurisdiction over it during the same period. The Free State is not quite seventeen years old, and now it is shown by their own books that up to 1859, when he died, Cornelius Kok, who was (the Free State says) an independent Chieftain, exercised Sovereign rights within the territory by selling and granting lands.” \*

“ R. S.

“ Wynberg, 20th January, 1871.”

Commenting on the foregoing, Sir Henry Barkly says in a letter of 20th January, 1871—

“Your comments on the list of farms seem to me so completely to demolish Mr. Brand’s pretensions as to the Vetberg line having formed the Free State boundary for twenty years past, that I think they ought to be put in the shape of an answer from me to him.”

Sir Henry Barkly went up to the Fields early in 1871, and the following are short extracts from his letters :—

“ Klipdrift, 26th February, 1871.

“ Both at Pniel and here my reception was enthusiastic, and it will be difficult to resist being carried away by so much loyalty. All the chiefs are here—Waterboer, Mankoraone, Montsioa, etc., and a host of minor dignities. I have given Mr. Arnot the copy of the correspondence with Mr. Brand.”

“ 28th February, 1871.

“ I had my private interview with Waterboer and his Councillors yesterday, and it passed off well. I attach great importance, at the present moment, to their permission to confirm titles to *bona fide* occupants of farms within the Vetberg line. Later in the day Mr. Arnot handed me what he styles a Memorandum, which had been evidently carefully concocted beforehand, in which the usual preposterous demands are put forward on behalf of himself and Waterboer, 25 per cent. of the gross revenue to

\* In order to give the other side of the question, the arguments of the Orange Free State will be found in full in the Appendix.

be paid over to them, and the farms in all directions out of the Transvaal and Free State encroachments to be reserved for them and their friends. In short, they wish the British Government to pick the chestnuts out of the fire, while they enact the monkey's part and eat them. . . . I am vexed, however, at Mr. A.'s showing the cloven foot, though I always rather mis-trusted him."

President Pretorius (Transvaal) came to meet Sir Henry Barkly at Klipdrift, still, however, keeping his commando under arms. The latter determined to circumvent him, and therefore proposed a Commission—writing to the Colonial Secretary at the same time that "this is the only plan short of fighting it out—which I am forbidden to do."

"3rd March, 1871.

"Pretorius is accompanied by his Attorney-General, Klein, a sharp little German lawyer. Pretorius did not object to a Commission, but it took some time to settle the terms—Mr. Campbell to be British Commissioner; Mr. O'Reilly, Landrost of Wakkerstroom, to act for the Transvaal; and if they cannot agree, then Lieutenant-Governor Keate, of Natal, to be arbitrator; failing him, the Chief Justice of the Cape Colony.

"Exercise of concomitant authority arranged until the result of the reference ascertained. All the Chiefs present, with the exception of Mankoroane, duly made their marks on the Deed of Submission, and the diggers were thoroughly satisfied."

Sir H. Barkly goes on to say—

"I shall try to get Mr. Brand to agree to similar arrangements. . . . Of course, Mr. Campbell will temporize until he gets up the Mounted Police, but a collision may come at any moment. Indeed, a row is not improbable to-day, as the Diggers' Committee have taken some steps of which Mr. Truter disapproves."

"Bloemfontein, 9th March, 1871.

"I was received with considerable military display by the President, but, at the same time, with much cordiality. Our joint entry into the town was rendered rather ominous from the

fact that the Cape cart which His Honour had invited me to enter ran away, and in turning a corner too sharply the vehicle upset, and Mr. Brand and myself, with the other occupants, were shot out just under the Triumphal Arch. Only a few cuts and bruises—my head was laid open. . . . I had a private letter from Mr. Brand asking for a private interview. It took place, Mr. Bowker being the only one besides ourselves present. His Honour got a good deal excited, and insisted on the necessity of my withdrawing and disavowing Mr. Campbell's notices (Magistrate Klipdrift and Commissioner) as an attack on the integrity of the Free State territory. . . . He spoke vaguely of the possibility of the Volksraad consenting to refer the Vetberg line either to the President of the United States or to the King of Holland. On my asking how things were to go on meanwhile, he only swaggered as to maintaining Free State rights, and said he must send a sufficient force of his burghers to keep the Diggers in order."

Writing from Klipdrift on 22nd January, 1871, Mr. Campbell says—

"I have received information from a reliable source that Pretorius intends settling the boundary question by force of arms, that he intends establishing a Magistrate where I am, and declaring the country to be Transvaal territory. Of course, any such attempt would be opposed by a large majority of the Diggers, who have readily come forward to protect the British flag."

An important piece of evidence in connection with Waterboer's claim to the Diamond Fields is to be found in a letter from Surveyor Ford, dated 4th April, 1871. He says that Major Warden claimed Waterboer's land.

"But the matter was referred to Sir Harry, who, having heard both sides, decided that the land belonged to Waterboer. Major Warden found that the country had belonged to, and been abandoned by Cornelius Kok, and based his claim upon this supposition. Waterboer established his title to the satisfaction of the High Commissioner, and the disgust of the British Resident."

Mr. Campbell's letters from Bloemhof, when acting as



Commissioner, are full and explicit. Writing on 20th April, 1871, he says—

“Pretorius conducts himself in a very quiet manner, and seldom suggests a question to his Attorney. I don't think that political Missionary, Mr. Loedorf, who has the conduct of all the Chiefs' cases, except Mankoroane's, is doing much good sticking up every petty Chief as being the Paramount, and thus laying claim to land which he must know they never had any claim to, but has induced some to believe that because their great grandfather was buried in that part of the country they must be the lawful claimants.”

A document, which Loedorf admitted was the original agreement in 1851, and never out of his possession, was found to be written on paper with the watermark of 1868.

“Again, I discovered in his book the exact evidence written down which each of his witnesses stated—all telling the same story without the slightest variation, showing how they had been schooled.”

Among the documents of 1871 is one which, although bearing on an entirely different subject from that to which at present chief reference is made, requires to be quoted because of its significance in connection with an important question of the present day, namely, placing the management of main roads in the hands of Government. Mr. C. L. Stretch, himself an experienced roadmaker, writing to Mr. Southey from Glenavon on 8th May, 1871, says: “I sincerely hope the main roads will be taken out of the control of the Divisional Councils. The Zuurberg, which cost £80,000, is going to ruin, and other passes also.”

Returning to the claims to the Diamond Fields, we find Mr. Campbell stating, on 1st May, 1871, that—

“Had it not been for that mischievous Parson Robinson, lately at Trinity Church, Port Elizabeth, the cases might have been disposed of, for the Chiefs had arranged among themselves about the boundary lines, which I believe the Transvaal would gladly

have accepted, but Robinson throws in Jantje's claim, and then the matter fell through."

This Chief appeared to have no claim to land, but, nevertheless, had sold 170 farms, and the purchasers (at uncommonly low rates) were much interested.

On 29th May, 1871 (Bloemhof), Mr. Campbell says—

"I must confess that I have been much staggered by some of the evidence, especially the production of that document signed 'Waterboer,' written to Grieff, and which was given in evidence in the Free State case, and denied by Waterboer as per your and Mr. Griffith's letters to Sir H. Barkly. I believe this document to be genuine, and two more, signed precisely in the same way, have been produced, and on my exhibiting them to Mr. Arnot, he changed colour, and said the body of these letters certainly appeared like Waterboer's, but before he became Waterboer's agent he was not acquainted with his signature, and I am told, and believe there is no occasion to doubt the assertion, that many other letters signed in the same way can be produced, and witnesses forthcoming who have seen him sign in that style, and it has only been since Waterboer appointed Arnot his agent that he signed his name 'Waterboer.' Arnot said Waterboer authorized him to deny the signature. I don't like the aspect of this transaction, and I have discovered him tripping on several occasions. However, as the decree will not rest upon the validity of this document, I will make no further remark."

Mr. Southey, writing to Mr. Campbell on 8th June, 1871, says—

"I am sorry that any doubts have arisen as to the truth of the assertion that the document signed 'Waterboer' was a forgery. You must not jump at conclusions about it. I cannot see the object in denying the signature if it were genuine."

To Mr. D. Arnot, on 29th October, 1871, Mr. Southey writes—

"I hope you have received the letter recognizing you as the agent, etc., of Mankoroane. I feel that the interests of those people of whom he is Chief require looking after, and I shall be

glad to see hereafter that our limits are extended so as to take them in as British subjects. In my opinion the Transvaal Government has never honestly acquired any portion of their territory."

As might have been foreseen, Commissioners Campbell and O'Reilly could not agree, and accordingly all the evidence had to be sent to the Supreme Arbitrator, Lieutenant-Governor Keate, of Natal. In the mean time there was a good deal of anxiety and alarm.

A despatch from Downing Street of 3rd June, 1871, tells Sir Henry Barkly—

"In consequence of your having received information that a commando of one thousand armed men, with two pieces of artillery, was on the way to Pniel and Cawood's Hope, you had ordered the concentration of the whole of the available strength of the Mounted Police at Hopetown. I approve of your having taken this step, and of your having represented to the President in firm language the danger of the course which he had pursued. Her Majesty's Government have no wish or intention to violate any right which belongs to the Orange Free State, but they cannot admit the pretensions founded by Mr. Brand on the 2nd article of the Convention of 1854, nor can they consent to refer to arbitration the point raised by him as to its construction. They see no reason why arrangements should not be entered into by the Orange Free State for arbitration with respect to the disputed lands which you reported in your despatch of 8th March last had been agreed to by the President of the Transvaal Republic."

In May, 1871, Sir H. Barkly writes to Mr. Southey—

"I send you Keate's award, which is all right, giving Waterboer, I think, exactly the boundary line laid down in the map which accompanied your Government notice of September, 1870. Mankoroane does not seem to be mentioned, but implied in the general award to the Barolongs and Batlapins."

Sir H. Barkly to Mr. Southey—

“Government House, 8th September, 1871.

“I send you a long letter from Arnot denying point-blank the genuineness of the alleged letter from Andries Waterboer. I wish he had sent the official disavowal of Waterboer and his Raad. Would it not be well to apply for it at once now? I could hardly write again to Brand and base my assertion of the letters being a forgery on Arnot's private letter.”

In a subsequent letter Sir H. Barkly says—

“There is a Despatch as to the Resolutions of Parliament about annexing the Diamond Fields, which would do credit to the Delphic Oracle; but it may be read—as meant—favourably.”

The Keate award immensely strengthened the British position, and we find Mr. Campbell writing from Klipdrift on 20th November, 1871—

“I am glad to tell you that on Friday we publicly proclaimed the area of each Diamond Field at De Beers, Du Toits, and Bultfontein, and hoisted the Union Jack amidst great acclamation, and everything has passed off quietly, and without the slightest demonstration on the part of the Free State.”

There is a long argumentative letter drafted by Mr. Southey addressed to the President of the South African Republic in reply to his repudiation of the Keate Award. The technical objections of the Republic seem to be of a pettifogging character easily disposed of.

On 17th October, 1871, Mr. Campbell says—

“I last evening saw a gentleman from Du Toits Pan who informed me that he had been spending an evening with Mr. Hohne, the Free State Secretary, who had said they could see the British Government was determined to have the Diamond Fields, and so they intended letting them go, admitting at the same time there has been strong dissatisfaction against the Free State by the Diggers, and that he saw no means of satisfying or removing them. I presume Hohne speaks the sentiments of his Government. Unless you do immediately proclaim the territory

the Diggers themselves will do so, for they are becoming very excited, and daily more dissatisfied with the Free State."

The correspondence with numerous claimants for the ownership of the Diamond Fields is most extensive. Mr. Arnot's contributions alone would fill volumes. To those who are interested in the relative claims of Waterboer and the Free State we commend perusal of the Protest of the Volksraad of the Orange Free State and the Memorandum of Mr. Southey in reply.\*

A letter from Sir Henry Barkly, dated 8th January, 1872, reports that in the *Northam* he had made the shortest passage on record from Cape Town to Port Elizabeth in thirty-six hours. Writing of the railway, he says—

"I have just seen Mr. Brounger, who is full of the Coerney Valley route, but it seems by no means free from engineering difficulties, and in fact the scrub is so dense that he has scarcely cut his way through it yet."

Writing on 2nd February, 1872, Sir Henry Barkly says—

"Arnot is in high dudgeon that nothing has been done to recognize his land titles, which he considers in connection with those of Waterboer stand on a different footing from all others, or to give him any pecuniary allowance or indemnity which he asserts was one of the conditions of annexation! The fact is he must be very hard up, as he says the Chief tried to borrow money from him, and he is afraid that his affairs are not to be settled till after the Land Commissioners have reported. It will be as well to comb him down when you write to him."

Letter from Mr. Southey to Sir H. Barkly, 8th February, 1872—

"I have been smoothing Arnot down as much as possible. I can scarcely fancy that he is so hard up, but am disposed to think he is anxious to fix this Government to a confirmation of all the grants."

\* See Appendix.

Mr. Arnot's letters are now not so numerous. In one or two of them he brings forward another incomparable son-in-law for appointment—

“I have been looking out,” he says on 23rd July, 1872, “most anxiously for a few lines from you to enable me to cheer up young Smuts. . . . Perhaps in the mean time you are looking out something good for him. . . . Could you not make him Registrar of the High Court here?”

Poor Mr. Arnot himself suffered from non-appreciation. He says in July, 1872—

“Have you seen lately what that infidel low Dutch beast (the editor of the *Volksblad*) said? After calling me, as I hear, a Hottentot, Bushman, or Kafir, I do not know which, the fellow says I was kicked into the position of a J.P. for the annexation business and my impertinence to the President! As if I bothered my head about the annexation, or could be half as rude or impertinent as his demi-god Brand. From the habitual Billingsgate of that editor, I should say he is descended from one of those Dutch originally transported to this Colony when a penal settlement. . . . I must have some money.”

Although what we are now about to quote occurred after Mr. Southey had quitted office in Griqualand West, it is nevertheless desirable to publish it for the purpose of showing the *dénouement* of transactions already referred to.

“Kimberley, 18th March, 1876.

“MY DEAR MR. SOUTHEY,—

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“Judgment has been pronounced by Stockenstrom. I believe only to be somewhat decent he has accorded me only Eskdale, and has withheld or disallowed the erven at Douglas, contained in the grant of Eskdale. Matters, therefore, are desperate. I only wish I knew in 1870 the kind of Government I had to do with; the cession would never have been made to the British Government. I would ten times rather have gone in for the Free State, who paid Adam Kok and his Griquas honourably.

“Murray is sending you the *Diamond News* containing the judgment. It is necessary that you should see it. Your name is brought up in it.

“I ascribe my ruin to having all along been treated in a most disingenuous manner. Moreover, it is not true that the country had to be made over, and Waterboer, his Griquas and grantees, to get no land. Just see how scandalously they are to be treated according to judgment. Have they money to pay law costs or go to appeal? This is certainly a nice way of acquiring territory!

“As to Van Rooy, I believe because he lied so the other day his farms have been disallowed. What the old beggar is to do now I cannot say. I wish you would send orders to some one to take his P. N.'s of yours from me and collect the same.

“With kindest regards to Mrs. S., yourself, and family.

“Yours sincerely,

“D. ARNOT.”

“P.S.—As I am leaving for Eskdale to-day, kindly write your next letters to Eskdale. I must look about at my age to see again how to recommence the world. My twenty years in Griqua and British interests thrown to the winds. Don't refer to £1000 annuity. I might die to-morrow, and what would become of my wife and children?—D. A.”

In order to keep up continuity, we must now quote Mr. Arnot's last letter to Mr. Southey. Alas! for the vanity of human wishes; this indefatigable man was cruelly disappointed.

On 1st April, 1876, he says to Mr. Southey, “I fully expected that Stockenstrom (Judge) would deprive me of all he possibly could.” Then Mr. Southey replies—

“To Hon. David Arnot, Esq.

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“Even before the receipt of your letter I heard that the Councillors of Waterboer had disavowed all knowledge of larger grants than two farms. His (Stockenstrom's) judgment is an extraordinary one, but I consider it unsafe to criticise it publicly without having the evidence. According to him, Nomads ever

remain in that state, and although the Griquas *settled* down, established towns, led out water, elected an educated man as their Chief, entered into treaties with England, and with other native people, and built stone houses, still they cannot emerge from the position of Nomads. I am drafting something on the subject for the Press, but before publishing it should like to see the evidence.

“I telegraphed to Coryndon that the certificate Sir H. B. took with him to Griqualand in 1872 had been found, and that it included all the lands in South Albania claimed by you, *i.e.* Eskdale, the Reserve, and erven at Douglas. It was not signed, but I always understood from Sir H. and yourself that it would have been signed and issued to you at the time if you had desired it. You wanted certificates for North Albania, which then we considered could not be issued. How you can be deprived of the farms leased from you by Cawood and others, and the land be given to them, is a marvel to me. It seems to me that Stockenstrom has disregarded law as it stood, and built up a theory for his guidance to supersede law.

“Yours, etc.

“R. SOUTHEY.”

The Representative for the Batlapin and Baralong tribes writes on 29th September, 1872, stating that the Chief Mankoroane entirely repudiates the cession of 840 square miles of Batlapin territory to Mr. David Arnot. The Chief himself makes a declaration, in which he says that Mr. Arnot got him to sign a cession under false pretences, he, Mankoroane, believing that this document merely contained a promise to pay Mr. Arnot for the trouble he had taken to advocate the territorial claims of his people.

In the Session of 1872 Sir Henry Barkly again brought forward the Responsible Government Bill. The Attorney-General (Mr. Griffith), who opposed the measure, was on leave, but Mr. Simeon Jacobs, who acted for him, was in favour of the Bill, and introduced it. By a majority of ten the Assembly declared its approval, but in the Legislative Council there was much difficulty. Pressure was, however,



brought to bear upon Dr. Hiddingh and Mr. De Roubaix, who had previously been opponents of Responsible Government. They asked for an expression of the wishes of their constituents, and received deputations from various places; among others, Mr. Advocate Reitz, afterwards President of the Orange Free State, presented the Swellendam petition. The two doubting members felt their doubts ended, and voted for the measure, which was thus carried in the Upper House by a majority of one.

During this Session (1872) it became Mr. Southey's duty to introduce a Bill for the annexation of Griqualand West which was opposed by Messrs. Molteno, Solomon, and Merriman. Conservatives joined with the Responsible Government members in opposing it, and it had consequently to be withdrawn, to be enacted at a later period.

Another crisis had now taken place in Mr. Southey's affairs, and the following memorandum, letter, and despatch bear special reference to his position and prospects. They also, of course, throw light on the political history of the time.

“Parliament, which virtually abolishes my present office, provides that if I retire I shall be entitled to claim such pension as Her Majesty's Secretary of State shall award; but if I again take office, under the new order of things, my pension, or so much of it as shall not be in excess of the salary of the new office, shall cease during the time I hold office; and as the highest salary to be enjoyed by the holder of any of the new offices is £1200 a year, it follows that I, if I accepted office, would in reality be working for nothing.

“Then as regards public matters, I may be allowed to say that I think it better that at first the working of the new order of things should be undertaken by persons who see their way clearly to making them successful.

“I have been a member of the Executive Council for a period of twelve years, and, with the exception of the last year or so, we have during that time had to struggle against an expenditure largely in excess of the Revenue.

“When I entered office as Acting-Colonial Secretary in

1860, I found that the Government had been compelled to borrow large sums of money from the Imperial (Commissariat) Chest, and had also spent considerable sums for ordinary purposes out of monies raised for special purposes, and there was consequently a large deficiency to be made up; and although the Parliament was occasionally induced to grant additional revenue, it never was, until the adventitious circumstance of the discovery of diamonds just beyond our border, sufficient to cover the voted expenditure.

“The consequence of this has been that the Government was compelled to reduce expenditure whenever practicable, and to refuse compliance with applications for increased expenditure, if such increased expenditure could by any possibility be avoided. The result has been that the people have been deprived of various public conveniences, and been refused others, which they considered to be essential to their wants; and I anticipate, therefore, that when the change takes place demands for increased expenditure will be made, which I should not see my way to comply with.

“There is another important matter to which I may allude, and that is the Native question, in which I have ever taken a lively interest. There can be no denial that, under the existing form of Government, during the last fifteen years, the Natives within and beyond our borders have made great advances towards civilization, and they are still advancing; but there is also no denying that the white population living near the borders are not satisfied, and I shall not be surprised to find that pressure will be brought to bear upon the Government for special and exceptional laws, applicable to Natives alone, such as I, holding the strong opinions that I do on the matter, should be unable to comply with; while possibly others, who have not, as I have, had to deal with Native questions, might see their way to a compliance.

“Without entering into more detail, I may say that it strikes me that on these two questions of finance and Native affairs I should be unable to act up to popular demands, and an early change of Government might ensue, which I think it is desirable to avoid if possible.

“Under these circumstances, I had, before Your Excellency suggested my appointment to Griqualand, thought that my

action should be, not to take office, but to go into Parliament as an independent member, render such assistance as I properly could to the new Government, and aid in checking (if I could) expenditure in excess of income, and also attempts at Radical changes in Native matters, which might appear to me to have an injurious tendency.—R.S.”

Extract from a private note to His Excellency Sir Henry Barkly—

“ Colonial Office, 17th October, 1872.

“ MY DEAR SIR,—With reference to your Excellency’s note of the 14th ult., written at New Rush, Diamond Fields, in which you inform me that you had received from England an Order in Council confirming the Constitution Ordinance Amendment Act, and (alluding to conversations that had passed between us) express a wish to learn whether I have made up my mind to obtain a seat in Parliament, and if so am prepared to retain the Colonial Secretaryship under the new order of things, and to form a Responsible Ministry for carrying on the business of the country, and in which you add that in the event of my deciding not to adopt this course you proffer for my acceptance the post of Administrator of the Affairs of Griqualand West.

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“Thanking your Excellency very heartily for your kindness in these matters, and for your expressions of confidence in my ability to perform the duties of Administrator of the Affairs of Griqualand West, and referring to my note of the 27th ult., addressed to you at Worcester, and likewise to our subsequent conversations, I beg now to say that I do not wish to enter Parliament with a view to taking office under the new order of things. There are many reasons, both of a private and of a public nature, which to my mind render it undesirable that I should adopt that course, some of which I will allude to here.

“First, with respect to private matters, I have arrived at an age when I may claim to retire on a pension, and as my office will virtually be abolished by the operation of the Constitution Ordinance Amendment Act, and I entered the Service originally, not in the ordinary way, as a clerk, but was selected for employment in consequence of special aptitude for the duties required at the time to be performed, and adding thereto that I commenced

official life so far back as 1836, and have been called upon from time to time to perform important duties, apart from those appertaining to my own offices, without pecuniary reward, I may anticipate that Her Majesty's Government will sanction my retirement upon a superannuation allowance, very nearly, if not quite, equal to my existing full pay, viz. £1500 a year.

"I certainly consider that under the peculiar circumstances of the case I should have full pay.

"As before stated, I am entitled by age to retire, and thus am not liable to be again called upon for service, and hence I regard my pension as so much private property."

Extract from Sir Henry Barkly's despatch to Secretary of State, No. 60, of 2nd December, 1872—

"Having ascertained from Mr. Southey that he saw no prospect of securing a majority in the Assembly in support of such a policy as he would have felt bound consistently and conscientiously as Prime Minister to pursue, I requested Mr. Porter, as author of the Act to amend the Constitution Ordinance, to form an Administration from the Opposition. On his declining on the score of age and inferior health, I invited, on his recommendation, Messrs. Solomon and Molteno, who had co-operated with him in carrying that measure, to undertake this duty conjointly. As Mr. Solomon expressed disinclination to enter office at present, especially without Mr. Porter, I ultimately confided the task to Mr. Molteno alone.

On this Mr. Southey wrote as follows:—

"Any one reading this despatch would conclude from it that I was quite willing to take the office of Prime Minister if I could calculate upon securing a majority in support of such a policy as I should have felt bound consistently to pursue. And the inference to be drawn from the passage is that I could not have secured support, and that the previous policy of Government had been bad, and there had been an organized opposition to which such leading men as Porter, Solomon, and Molteno belonged!

"If the despatch was intended to represent all that, Sir H. was not well up in Cape political life.

It was now considered that the federation of South Africa should be an immediate sequence of the introduction of Responsible Government into the Cape Colony. The Imperial Parliament, in the words of the motion of Mr. R. N. Fowler carried in the House of Commons, declared "facilities should be afforded by all methods which may be practicable for the confederation of the Colonies and States in South Africa."

The Earl of Kimberley, then Secretary of State, pressed the subject on Sir Henry Barkly's attention, but any one who knew the country and people could see at a glance how absolutely illusory and really absurd this project was. At the same time the separation of the East from the West was called for emphatically both in Port Elizabeth and Grahamstown, but as there was no echo in the Border districts, Cape Town was able to sit serenely quiet.

The carrying of Responsible Government by Sir Henry Barkly was, of course, looked upon as a great achievement. The change had been practically determined on by Lord Kimberley, then Secretary of State for the Colonies, as the only possible means of escape from the *impasse* arrived at in which the Executive was not responsible to the Legislative body. Sir Henry had been sounded on the matter before he was offered the appointment, and in a famous letter from Bath expressed confidence in his ability to do what was wanted under certain conditions. He succeeded in actually converting a hostile Parliament, and thereby gave the Dutch-speaking Colonists their first assurance of future political power. Having got the measure through the House of Assembly, he finally carried it, as we have seen, in the Legislative Council, though only by a single vote, and that the vote of a Dutch member who had pledged himself against it.

For this achievement Sir Henry Barkly received neither distinction nor reward. They were, no doubt, to have been bestowed at the end of his term of office, but before that

time arrived Lord Kimberley had ceased to be Secretary of State for the Colonies, a Conservative Government had come into office with a "vigorous Colonial Administration" as a main plank of their political platform, and Responsible Government at the Cape, which made the Colony practically independent of Downing Street, was a thorn in the side of Lord Carnarvon, who was bent on a federation of the South African Colonies and States, which could not be effected if the Cape opposed it.

The change which had been urgently pressed by Colonial politicians, who fretted under what seemed to them the intolerable yoke of an Executive responsible only to the Crown and not to themselves, and as stoutly opposed by many English Colonists capable of forming sound opinions on the subject, as well as, originally, by the great body of Dutch-speaking members of Parliament, had been deprecated by the latter sections of the community, not because it was not the logical and, indeed, inevitable consequence of any form of Parliamentary Government, but because the time for it was not deemed to have arrived. Higher political education, more experience in dealing with public affairs, and a deeper insight into Native questions were, they thought, necessary before the Colony could safely be released from the leading-strings in which for the last fifteen years it had made gentle but satisfactory progress. Mr. Southey was strongly of that opinion, as shown by his speeches and minutes on the question, and his views were shared by his colleagues, though on the other side a powerful champion arose in Mr. William Porter, who, after having been for many years Attorney-General, was then a private member of Parliament. His great ability, long experience, commanding eloquence, and personal charm of manner had no small share in the ultimate triumph of the cause which he espoused.

And so the great change was made at the end of 1872, and the Cape, like a young man coming of age and released from tutelage, had to enter on the possession of its property

and manage its own affairs, and take its place in the life of the nations. We have already seen how many good people feared that it was too young and inexperienced for the enjoyment of such large powers and the discharge of such great responsibilities, and questioned the wisdom of the English minister, who, yielding to the difficulties which confronted him, forced on a change of such moment.

Whatever else the change involved, one result was certain. It meant at no very distant date the transfer of political power to the Dutch-speaking land-owners, who far exceeded in number the English professional and trading classes, which dwelt mostly in the towns. This race of South African land-owners, sprung from mixed Dutch, German, and French stock, as evidenced in name, type, and even facial expression, had already shown itself capable of the highest development, and produced statesmen, soldiers, and lawyers of whom any country might be proud. But though a race with which English settlers lived on terms of amity, and with whose educated members they were glad to be associated in Parliament, in the learned professions, and in business, while union and fusion were fostered by the relations thence ensuing, and by private friendships and intermarriages, the race was still, from an English point of view, an alien one. The Afrikanders comprised a race of men generally uneducated and deeply prejudiced, but strong, resourceful, masterful, which had submitted for generations to every hardship, faced every danger, overcame every difficulty, and conquered the earth. This race of people had taken the labours of the aboriginal people in possession, for which they held there was sufficient scriptural warrant, and they consequently held views on the subject of slavery and the subjection of Native races that were at variance with those which at any cost of blood and treasure England was bound to enforce and maintain in all her dominions, and most of all at the Cape of Good Hope, which formed, as it were, the toe of the great body of the Dark Continent.

In connection with what was necessarily the mental attitude of most of the land-owners in the Cape Colony must be taken into account the existence of two independent Republics beyond its borders, peopled by their own relatives and friends, using the same home-made, expressive, if ungrammatical language, and administering a Native policy far more in consonance with their ideas than any that was possible in an English Colony. This was in itself a source of no small danger, especially in the more northern districts, whose people were brought most in contact with their Republican neighbours, and naturally drew comparisons between the two forms of Government to the disadvantage of that under which the law obliged them to live.

And while the Cape, an English country, had to enter on its new life with the certainty that the balance of political power would be eventually held by an alien race, it had the further disadvantage of there being no unanimity of thought or feeling among the English Colonists, who were at the time divided on the question of the separation of the Eastern from the Western Province. This question had for years been debated with great vehemence. The more English population of the East considered that they suffered from the fact of the seat of Government being in Cape Town, and so large a share of the Colonial revenue being consequently spent there, as well as from the unprogressive, or at least conservative, methods of the Western land-owners and merchants, whose business lay in the production of cereals and wine, while their Eastern neighbours looked mainly to wool as the important article of export to which attention should be directed.

The "Separation" agitation was promoted, if not actually caused, by the fact of there being already two Provinces in name, and the so-called Eastern Province having a Lieutenant-Governor residing at Grahamstown, who, in addition to being the Commander of the Imperial Troops, had, as has been shown, a civilian staff and some share of the civil



administration under the old system. Some mutterings of the storm are still heard now that the great question of federation is looming in the distance, and it will probably rise again when the part to be taken by the Cape in the future government of the South African Colonies and States comes within the range of practical politics. Be that as it may, the Eastern and Western sections of the Colony were not in complete accord when Responsible Government was introduced, and this no doubt had some effect in making Mr. Southey willing to lay down the burden of office. There were ominous clouds in every direction on the political horizon, and having done his fair share of work and reached his grand climacteric, he was not unwilling to seek repose. Retiring, with his colleagues, he was made a Companion of the Most Distinguished Order of St. Michael and St. George, and granted a pension of £1400 a year, while the Colonists both of East and West presented him with a splendid service of silver plate, and the Civil Service, in which he was universally respected and beloved, gave him a testimonial expressive of their esteem and affection.

## CHAPTER X.

Mr. Southey the Lieutenant-Governor of Griqualand West—Early days of the Diamond diggings—The New Rush—The Triumvirate—Right of the coloured man to dig—Sir H. Barkly offers a Constitution—The Diggers' Committee—The Griquas and their history—Waterboer, Adam Kok, Albania—The land question—President Parker—The Vooruitzigt Syndicate—The new officials—Gambling at the Diggings—Claim rents—The Elections—The Diggers' leaders—The Legislative Council—Boer plots with Natives—Sufferings of Natives going to Diamond Fields—Settling English in Transvaal.

IF he had been free to follow the bent of his own inclinations, Mr. Southey would gladly have laid down the burden of office and retired to spend the autumn of his days among his children and friends, occupying his leisure with farming pursuits and such sport as was congenial to him. He never cared for racing, nor did he follow the hounds, but he dearly loved horse and dog, and a day's partridge- or snipe-shooting with a friend was perhaps one of his greatest pleasures. Even in what may be called extreme old age, when living in the complete retirement of Southfield, he would take his gun and whistle for his pointers and order his pony, and ride for miles across the Cape Flats alone, happy if he could return with a brace or two of birds. But his time for rest had not come. His wiry frame was still capable of great exertion, and his matured experience made him the most qualified officer in South Africa for any post of importance where a cool, calm-tempered, level-headed man was required. No one knew Mr. Southey's value so much as those who had worked with him, and had learned to estimate properly the innate sagacity, the capacity for taking infinite pains, the temper that could not be ruffled, and the

courage that could not be daunted, with which he approached every task allotted to him. Sir Henry Barkly, next to his own immediate colleagues and friends, knew this better than most men, and Mr. Southey's dreams and visions of happy repose were broken by Sir Henry's earnest personal request that he would undertake the Government of Griqualand West. The proposal was one that might stagger the bravest man who had any character or position to lose, and Mr. Southey, who had accepted a great measure of the responsibility of annexing that province, and had been associated with the Governor in the difficult task of its administration, knew perhaps better than any one the danger of the position that he was asked to accept.

The Cape, owing to so many of its Governors having been recalled, had been styled the grave of reputations, and Griqualand might be the bottomless pit. Apart from the enormous difficulties of an apparently almost insoluble land question, and the regulation, not only of diamond digging, but of diamond mining, an absolutely unknown industry at that time, was the fact that every administrative project had to be carried by the consent or in the face of men who, greedy of the wealth beneath their feet, had brought the manners of American mining camps to South Africa, and, attracted by the Republican models of the adjoining Orange Free State and the Transvaal, were themselves aiming at the acquisition of power and dreaming of a new Utopia, a republic of so-called "Diggers," in whose "Committees" the real functions of Government should be vested.

This was the third form of administration that in about as many years had been tried in the vain hope of satisfying the turbulent white population. When diamonds were first found in the gravel of the old bed of the Vaal, a single magistrate was deemed sufficient for the maintenance of law and order among the quiet Colonial people who pitched their camps along the pretty river; but when what were called the "dry diggings" were found, and for the first time in the

world's history veritable mines of diamonds were opened, a steady influx of daring men with little to lose and everything to gain set in, and a state of things was soon developed that made Sir Henry Barkly hurry up to what had then come to be called "the New Rush," and endeavour to compose matters by flattering the turbulent Diggers, and replacing the single magistrate by three Commissioners, establishing a Recorder's Court with other Government Offices, and arranging for the protection of life and property by the presence of a troop of the Frontier Armed Mounted Police.

A Triumvirate was, however, not a form of Government that was likely to succeed in the peculiar conditions of life in Griqualand West at that time, when firmness was of all things the most essential, for it was not natural that three men suddenly brought together should have at all times an equally sound judgment in all things, or be able in an equal degree to withstand the pressure of the loudly expressed public opinion that was forced upon them.

The burning question that then agitated the Diamond Fields was that of the right of the coloured man to dig for and own diamonds; and seeing that our right to the country had been obtained from coloured people, it would be deemed impossible that such a question could arise in any community of sober mind. But the people who thronged the "Four Camps" had not a sober mind where their own interests or possessions were concerned, and the pressure put on the three Commissioners to deprive the black man of the right to hold a "claim" not being resisted in an equal degree by all, two of them at last consented to issue a Proclamation having the force and effect of law to the effect that the black man, who now, for the first time in South Africa, began to be called a "nigger," could not hold a claim, or be in legal possession of diamonds. A "claim," it may be necessary to state, is a piece of ground measuring thirty feet each way, and "claims" in a digging or mine were numbered and entered in the books of the Registrar of the digging or mine,

and all hypothecations and transfers were also duly recorded there, so that the entry of a claim in the Register established the holder's right to it, though the ground might not be, and in fact at that time never was, his actual property.

The third Commissioner, who was the legal adviser of the trio, could not agree with his colleagues in their solution of the existing difficulty, which, for the sake of present peace, seemed to him to lay the foundation of future trouble, by interfering with the liberty of the subject, and making a beginning in class legislation, the end of which could not be foreseen. He therefore refused to be a party to the Proclamation, and the matter being referred to Sir Henry Barkly by the protesting member of the triumvirate, the Proclamation was disallowed, and the impossibility of governing the country by three Commissioners was demonstrated.

The Governor's refusal to adopt the views of the Diggers caused the wildest excitement at New Rush, which was then by far the largest of the "Four Camps," and the place, as being connected with the richest mine, to which all the bolder spirits were naturally drawn. "Mass meetings" were held, at which inflammatory speeches were made from improvised platforms, and steps were taken to eliminate the "nigger" from the digging or diamond-owning section of the community by intimidating any white people who were even suspected of buying diamonds from him by the simple process of burning their tents, with threats of a more vigorous application of Lynch Law if that gentle reminder of the Diggers' power should prove insufficient. That there was some ground for trying to prevent the selling of diamonds by Kaffir labourers cannot be doubted, for they had unbounded opportunities of stealing and secreting the precious gems, even if their masters exercised more care than they usually did in the supervision of their workmen. They certainly were not restrained by accurate conceptions of the rights of property, or, as they naïvely put it, they could not see anything to make one particular stone more sacred

than any others. The root of the evil was undoubtedly in the possible right of Natives to the legal possession of diamonds as having been produced from the ground of Native claimholders elsewhere, for there were none at New Rush, and though the crude methods of the early diggers of New Rush have been replaced by the elaborate machinery of a Special Court working under a special Act of Parliament, and passing special sentences of five or even seven years' imprisonment with hard labour on the evidence of a special detective force, the enormous profits made in "the trade" still make it attractive, and there are never wanting white men to buy and even compete for the diamonds which the Kaffir labourer, though shut up in his barrack or "compound" during the term of service for which he contracts, is still able to secrete and place on the market.

This, however, is a digression; what weighed on the mind of Sir Henry Barkly was the patent fact that another new administrative system had to be devised for Griqualand West, and he again travelled to the New Rush, before the days of railways; and when invited, or rather summoned, to face the angry Diggers at a banquet in a large tent, he cut the ground from under their feet, and, for the moment at least, won all their hearts by announcing his conviction that their moral and intellectual gifts qualified them for self-government, and that thenceforward they should govern themselves. For the carrying out of this well-applauded scheme a constitution of the second-class Colonial pattern was to be adopted, providing a very limited representation of the Digger element as elected members of a Legislative Council, and Mr. Southey was asked to assume command of Castle Dangerous by becoming Lieutenant-Governor of Griqualand West. He knew how slender was his chance of success, and he knew, too, all that failure would mean, but he had made it a rule of life never to ask for anything, and never to refuse to do any duty that he might be required to undertake, and he accepted the position; but much had

to be done before the promised constitution that was to satisfy the Diggers could come into operation, and for a time the old system of legislation by Proclamation had to continue, the three Commissioners being replaced by the Lieutenant-Governor and his Executive Council.

That the constitution would satisfy the Diggers was possible, for, after all, they were mainly good fellows, kind to each other, and free with the money they earned so easily, and there were many English gentlemen among them, young fellows like Cecil Rhodes and his brothers, who had not yet chosen a profession, members of Universities and ex-officers of the Army and Navy, all glad to escape from conventionality and the thralldom represented by black coats and silk hats, and delighted to find themselves in a veritable Tom Tiddler's ground, where they could not only pick up gold and silver, but have it done for them by "niggers," who, if they helped themselves to a share of their earnings, were docile and obedient, and would live on porridge and sleep on the bare ground round the fire near their master's tent. Indeed, that a population, which, on the whole, it would not be offensive to describe by the word "rowdy," would in time settle down under the influence of its best members was not only possible but certain, unless sinister counsels should obscure their judgment by influencing their passions and persuading them that the continuance of their easy jolly life hung by a thread which could only be kept from breaking by the vigilance of the Diggers' Committee, which was then the sole depository of power.

To make this intelligible, it must be explained that this useful, and, indeed, in primitive times in every mining country necessary, organization had acquired undue influence at New Rush from the immense wealth of the ground over which it exercised jurisdiction. The diamond fields, from the time of their first discovery, had been fondly hoped and intended to be the poor man's Paradise, and to preserve their Arcadian simplicity from the grasp of the capitalist and the

wiles of the politician it had been ordained by common consent for common protection that no Digger should hold more than two claims, that only *bonâ fide* Diggers should be eligible for seats in the Diggers' Committee, that claims left unworked for even a few days might be forfeited and "jumped," and that in respect of this jumping, as in all other matters connected with the internal economy of the Diggings, the decisions of the Diggers' Committee should be binding and final without appeal. At the Vaal River, where digging in the heavy gravel was laborious, and diamonds were few and far between, and even in the poorer "dry diggings" of De Beers, Du Toits Pan, and Bultfontein, the membership of a Diggers' Committee did not mean much; but at New Rush, where every claim was so valuable that some were divided and subdivided into quarters, and even less, it meant so much that while a seat once gained was to be held at all risks and costs, the near or even distant prospect of a seat had such attractions that men who had influence by being already members were as much courted and sought after as directors of the Bank of England in the City of London. It has been said above that a claim left unworked might be "jumped." It remains to be said that members of the Diggers' Committee were exempt from this penalty, and that their claims were secure, however long they might lie idle. The operation of the two-claim regulations might be thought to prevent the accumulation of claim property on one hand, and so it did to some extent, but it did not always follow that the registered holder of a claim had the full enjoyment of it, and the real name of the person who held a mortgage on it need not always be disclosed.

And so it was that, in 1872, the Diggers' Committee at New Rush was a powerful body, and it happened to contain certain men who saw not only the actualities, but the possibilities, of their position, and felt that it contained the germ and nucleus of Republican Institutions which, if the shackles



of British Constitutional Government could be thrown off, might keep the Diggers' Paradise inviolate, while incidentally securing lives of wealth and ease to the bold spirits who had brought matters to such a happy conclusion.

But the dangers arising from the aspirations of the Diggers' Committee, for which even a certain amount of sympathy might be felt, were slight in comparison with those to which the land question was sure to give birth, and before touching on that subject it is necessary to say a few words about the Griqua people, from whom that question came to us, with their country.

The Grikwas may be said to have owed their short history as a nation, and their nominal possession of the untold millions in the shape of diamonds which their barren soil covered, to the London Missionary Society; for in the year 1800, when Messrs. Anderson and Kramer, members of that body, first went amongst them, they were, according to a report, printed by order of the House of Commons in 1837, "a herd of wandering and naked savages, subsisting by plunder and the chase." For more than five years these devoted clergymen lived with them, and shared their wanderings, often not tasting bread for six months. In the course of these wanderings, in 1805, they discovered and took possession of some springs of water at a place which afterwards became Griqua Town, and bent all their efforts towards teaching the people to cultivate the land and grow grain for food. Labour, however, of any kind was distasteful to those children of nature, and it is doubtful whether the Missionaries would have succeeded if to the harmlessness of the dove they had not added the appreciable amount of wisdom which enabled them to hit upon and carry out a very notable idea.

There was in the Cape Colony a small but inconvenient body sprung from white fathers and native mothers, whose presence in, or even near, the more settled Colonial districts, was unpleasant and undesirable; but, inconvenient though

they were, they could not be wholly ignored, for under the Dutch Government they had claimed to be burghers, and under the English they had claimed to be free citizens, and to be decently out of sight they had been settled first near Piquetberg, when that was the north-western limit, and later in Namaqualand, where their head man was given a Staff of Office, and they were charged with the duty of checking the forays of the Bushmen.

Here the Missionaries found them ready to their hand, and an arrangement was come to by which one of their number, named Kok, went to the new country, and was made Chief of the Griquas by what was euphemistically called the choice of the people, backed, however, by the recommendation of Mr. Anderson, with the happiest result, for the inconvenient people took the name of Griquas, obtaining *quasi*-Sovereign rights, and a distinct and separate position, by which their claims to European descent became obliterated, and the Missionaries at last saw their lawless, wandering charges in a fair way of becoming a peaceful and even industrious people under the mild rule of Chiefs of their own choosing, and to some extent of their own blood, or, at least, of kindred race. How in their short ownership of the land for barely a century some of the Griquas sold their rights to the Orange Free State, and migrated under one of the Kok family, thereby causing disputes as to boundaries between the Free State and what were afterwards known as the Western Griquas, under Waterboer, are matters that need not be here entered on. It is sufficient to say that, in their new country, the Griquas were recognized as a free and independent people. They were of sufficient importance for the English Government to enter into formal treaties with them, and of sufficient value to be called on to act as our allies, so that at the battle of Boomplaats, in 1848, when Sir Harry Smith fought the Emigrant Boers and occupied Bloemfontein, the capital of what was thereupon called the Orange River Sovereignty, a Griqua contingent was present and

fought against the Boers—a fact that was afterwards remembered to their detriment. The administration of the newly annexed Orange River Sovereignty was placed in the hands of Major Warden ; but the Boers remained the occupiers and practically the owners of the farms, and as even at that time the land hunger was felt, he was soon pressed to grant titles in what was represented to him to be an unoccupied country or No Man's land, along the Vaal River.

Major Warden was not very well informed about matters of South African history, and was probably not very well provided with maps and Blue-books, but he knew, both by intuition and military training, if not by positive instruction, that to issue titles to land was beyond the scope of his powers, and he would grant none. However, by constant pressure, he was induced to give what turned out afterwards to be quite as good as titles, in the form of "British Land Certificates," which gave a right of occupation. By virtue of these certificates so many Boers were located in the Griqua territory that on the Sovereignty being given back to them at a time when Imperialism had not been thought of, and no discoveries of gold and diamonds had shown the expediency of painting the map of Africa red, the Government of what then became the Orange Free State not only followed the example set, unfortunately, by the representative of the British Government, but went the further length of issuing actual titles to land. At the same time they never ventured to claim jurisdiction in the Griqua country, and the Boers who occupied farms in it never felt quite safe from attack, or what they called "*inval*," on the part of the Griqua people.

But when the children of the Bond-women were cast out and sent over the Orange River, those Ishmaelites did not enter upon a wholly unoccupied country, for from a very remote period branches of the Bechuana nation had held some sort of sway there, and had at least exercised the Royal prerogative, which was found so useful in England at

about the same time, of freely making grants of land to friends and adherents, and of those marks of Royal favour some record still remained. The Griqua Chiefs, on entering the country, naturally availed themselves of the land, which indeed was their only source of revenue, and grants, and sales, and promises followed thick and fast, to say nothing of unregistered mortgages and literally tacit hypothecations, till, with English land certificates and Free State titles heaped on aboriginal Bechuana grants and modern Griqua alienations and engagements, all the elements necessary for a first-class imbroglio, or, in plain old English, a very pretty kettle of fish, were ready at hand, if ever the land should become so valuable as to be worth quarrelling or even fighting for, a condition of things which was reached when the discovery of veritable mines of diamonds drew some share of the world's attention to the country, and the almost fabulous wealth of New Rush made it possible for the owner of any apparently barren piece of land to become rich beyond the wildest dreams of avarice.

Before this position of affairs was arrived at, Nicholas Waterboer, the Chief of what were called the Western Grikwas, to distinguish them from those named the Eastern Grikwas, who, under Adam Kok, had been induced to emigrate and fill up a part of another No Man's Land in Kaffirland, had resolved to stop further inroads into his territory and prevent the collision which he dreaded between himself and his more powerful neighbours of the Orange Free State by putting what he called "a wall of flesh" between them, and he had taken the necessary steps for granting to settlers of English birth all the land lying east of the Vaal River, and consequently between the Free State and what might then be termed Griqualand proper. The new settlement was to be called Albania, from Albany in the east of the Cape Colony, from which it was hoped to draw the descendants of the English settlers of 1820, and the capital, on the bank of the Vaal, was called Douglas, in compliment to the General

of that name, who was then Lieutenant-Governor of the Eastern Province. Some progress had been made with this scheme and applications for grants of land were being received and registered, when the discovery of diamonds produced a condition of things with which Waterboer was powerless to deal, and made him hand over his country to England, so the only result of his well-meant plan was to add yet another class of claimants to the clamorous crowd already in existence. Then there were the claims of the rank and file of the natives, both Griquas and Kaffirs, who if they could not have individual titles to farms had at least a right of occupation, and these people, though not disputing the right of Waterboer to make substantial grants to himself and members of his family, were naturally anxious about their own position, and were not prepared to follow the example of the Scottish Highlanders, and let their Chief become the owner of the tribal lands in fee simple.

So the land question was at best a thorny and troublesome one to tackle, but its difficulties were enormously increased by the possibility of any farm, or fraction of a farm, containing a diamond mine, for this possibility produced yet another class, and one of a distinctly dangerous nature—the land speculator, or rather purchaser of Native claims and rights. It was to the interest of these people to prolong the time for their operations as much as possible by delaying any final settlement of the land question, while they intrigued with the descendants of the old Bechuana Chiefs and picked up Griqua claims for mere trifles by purchase or barter. It has to be said that Cape brandy had frequently no small influence on their bargains.

The land question was thus the greatest danger that threatened the frail and yet unlaunched barque of the new Constitution, for it presented a veritable Stormy Cape that had to be doubled before smooth water could be reached, and it had to be approached through turbulent waves, with many lowering rocks and treacherous quicksands.

Mr. Southey, as has been already said, knew probably better than any one the dangers to be faced and, if possible, overcome, but while attempting the discharge of a duty he felt no fear, and he relied implicitly for support on the unlimited forces behind him. He owned President Brand's happy belief in the overruling of all things for good, and the "Alles zal regt komen," with which that able leader often cheered himself and his people, found its equivalent in the "All will come right in the end," with which motto, when laying down his old load of official responsibility as Colonial Secretary of the Cape, he braced himself to take up the greater burden of the Lieutenant-Governorship of Griqualand West.

These internal troubles and disorders lost none of their danger and significance from the fact that the boundaries of the infant State were unsettled and hotly disputed by the adjoining Republics. When diamonds were found in the old bed of the Vaal River the Transvaal claimed jurisdiction down to its banks, and a large body of their people occupied a place called Hebron, from which they were only ejected by a show of force, a body of armed English diggers, under a man who assumed the title of "President Parker," marching boldly upon them through the night and dispersing them. Again, when the "Dry Diggings" were discovered, and the four camps were quickly formed, the Free State not only claimed but actually assumed jurisdiction over them, establishing a seat of Magistracy at Du Toitspan, and driving the Diggers from Bultfontein by an armed commando. The boundary line between Griqualand and the Free State was, indeed, so unsettled in 1872 that, before Mr. Southey had been many weeks in office, Sir Henry Barkly, as Governor in Chief, had to send an ultimatum to Bloemfontein in respect of the high-handed action of the Free State Government, which had seized some property of British merchants at a farm called Magersfontein, a name now indelibly impressed on English hearts as the burial place of so many of the

gallant Highland Division which was hurled against an entrenched mountain side, behind every rock on which was a Boer armed with a repeating rifle.

This Magersfontein was just on the boundary line, and without going into that question, it may be stated that it was common cause between England and the Orange Free State that the line ran from a high hill called Platberg, on the bank of the Vaal, to a place called Ramah on the bank of the Orange, passing through a spot called David's Grave, somewhere between Riet and Modder Rivers, at or near their junction. This David was a Griqua who had been shot in some tribal war, and the place of his burial, it had been rashly assumed, would always be kept in mind, because he had lain for some days there after being wounded, and had been tended by his relatives, who would naturally remember the exact spot; but, strangely enough, his countrymen, while perpetuating his memory by making his last resting-place, as it were, their corner stone, forgot or neglected to mark it by any permanent, or at least substantial, structure for the guidance of future generations, so that in course of time the exact position of the grave was open to doubt, and at a critical juncture it fell out that upon it depended the question whether a line drawn to it from Platberg would throw the Dry Diggings into Griqualand or the Free State. This dispute over the Platberg line, which was eventually laid down and marked off by Sir Charles, then Captain Warren, of the Royal Engineers, has been taken advantage of by certain late writers, who, for obvious reasons, are willing to assert that the Orange River is the "scientific frontier" of the Cape Colony on its northern side.

The farms which contained the Dry Diggings had been bought by Syndicates of men of capital soon after the mines had been opened, but the temper of the Diggers would not allow the purchasers to do as they liked with their own. Though the Syndicates derived a considerable income from letting the building sites, or rather "stands" for tents and

waggons, round the open workings, they were obliged to content themselves with a modest ten shillings a month for each claim, and even that was collected for them by means of stamps on the monthly licences. For this reason the licences had to be issued by the Government, which consequently received the money from the Diggers, and paid it over to the proprietors.

The owners of the farms in question were, perhaps, those who hailed with most pleasure the establishment of the new form of Government which, among the other blessings it was to scatter o'er the smiling land, was undoubtedly intended for such protection of property as would enable them to reap the full benefit of their position, and their views were politely, but firmly, communicated to Mr. Southey as soon as he landed at Port Elizabeth, on his way to New Rush, by a deputation from the Syndicate that owned the farm Vooruitzigt, with the Diggings of New Rush, and old de Beers, who informed him that as the first result of a stable Government they would thenceforth require, not ten shillings, but ten pounds, a month for every claim. The owners of the farms Doorstfontein, Bultfontein, and Alexandersfontein, which had on them the Diggings of the Du Toitspan and Bultfontein, were more moderate, and would be content, for the present, with five pounds a month for each claim, but they might as well have put their modesty on one side and joined in demanding the larger amount, for there was no possibility of either the one or the other being collected. The claim was preposterous, and had to be resisted at any cost or risk, but the fact of it being made had this good effect for the time, that it rallied the Diggers to the side of the Government on this vital question, and even the Diggers' Committee had to admit that, for the present, at least, the game was out of their hands, and had passed to players who held higher trump cards.

So Mr. Southey entered his Canvas Capital amid general acclamation, and having acquired a roomy "compound," as



suburban sites were then called, with a couple of small rooms, some bell tents, and a large marquee for official receptions and entertainments, about a mile from New Rush, he set to work to examine his position and determine on his immediate course of action.

Some time had to elapse, and many things had to be done, before the Constitution could come into force, and as in the mean time legislation had to be effected, as in the past, by Proclamation, Mr. Southey's *first* duty was to constitute the Executive Council of three members—a Secretary to Government, an Attorney - General, and a Treasurer—who were to help him in the arduous work he had undertaken. He chose as Secretary to Government Mr. John Blades Currey, a personal friend, who, after some years of training in the Colonial Office at Cape Town, largely under his own eye, had been Clerk of the Peace and Clerk to the Attorney-General, Mr. W. Downes Griffith, who strongly recommended him for the post. For the office of Attorney-General, Mr. John Cyprian Thompson, an English barrister, was chosen. As the Commissioner who had made so bold a stand in favour of the coloured races in the matter of diamond digging, he had naturally a claim, but immediately after his appointment Mr. Thompson was prostrated by illness, from which he never recovered. The loss of his able services was keenly felt by Mr. Southey, while his early death was mourned by the many friends to whom his genial wit and charm of manner had endeared him in private life, as well as at the Bar and in Parliament. Mr. Richard William Hoskyns Giddy, who had been a Civil Commissioner in the Cape Colony, and was the third member of the outgoing Triumvirate, was made Treasurer at his own urgent request, but he at once applied for leave of absence on the ground of illness, unsuspected when he was appointed, and went to England, so that at the outset Mr. Southey was deprived of the assistance he had a right to expect from those who had administered the government up to the time

of his arrival. Mr. Bowker, the Senior Commissioner, had resigned before the Triumvirate was abolished, and Mr. Currey went to New Rush in advance to take his place and make the arrangements necessary for the introduction of the new system.

Mr., afterwards Sir Sidney, Shippard, was appointed Acting Attorney-General, but the Treasurer's place in the Executive Council remained vacant till Mr. Giddy returned.

In a place where money was so plentiful and so easily made, it was inevitable that gambling should be carried on to a great extent, but at New Rush it had passed beyond all bounds, and had become such a positive danger to the Community that even the boldest and most reckless of its votaries were prepared not only to accept but to welcome its suppression. Some Americans had set up faro tables, and their example had been quickly followed by others and less scrupulous professors of the art, till gambling hells of every kind abounded, from the quiet semi-private house, where a gentleman in correct evening dress offered well-cooled champagne to thirsty Diggers in shirt sleeves, to the squalid tents and huts in which Malays, Hindoos, and Chinamen quarrelled over their greasy cards. Proprietors and their associates were always ready to advance cash for gambling in exchange for diamonds. In the absence of any other and more healthy excitement, the plague grew and extended so far and so fast that even the rudimentary society of New Rush became alarmed. Diamond stealing increased among the natives, and the demoralization of white men was such that, in the overpowering desire to get money to be squandered at the gaming-tables, pecculation and theft, and even violence, were resorted to; many well-meaning young fellows losing character and position were cast penniless adrift, and men of some substance were ruined in a night. There was a typical story told of a digger, who, entering one of the best-conducted establishments one evening with a well-filled pocket, a good balance at the bank, and his claim at his back,

came out in the grey of the morning with nothing but a five-pound note given him by the proprietor, and before the end of a week had to drive a cart for a bare maintenance.

This plague spot had to be cut out at any cost of pain to the patient, who was really desirous of relief, and the matter at once engaged Mr. Southey's attention. The immense value to which claims in New Rush had risen alarmed holders, while it increased the prestige and, indeed, the power of the Diggers' Committee so much that some steps were immediately necessary for the protection of owners of claims, and for ascertaining the real sense of the orderly and industrious section of the population as to the manner in which their property should be managed. The first of these objects was attained by a proclamation suspending the operation of the clause of the existing law for the regulation of diamond diggings, which ordained the forfeiture, and consequently rendered possible the "jumping" of claims, even of great value, the licence money for which was a week in arrear, or which from any cause had not been worked for a like period. The course which had to be taken with regard to the other was necessarily of a more tentative character, and with the object of securing full and free discussion, a commission was issued in which four of the most respected English Diggers, one from each of the dry diggings, were associated with the Secretary to Government and the Attorney-General to consider and report on the present condition of the diggings or mines, and the measures they would recommend to be adopted for their future management. Here, for the first time, a distinction was drawn between a "digging" and a mine, foreshadowing the removal of the more important centres of industry from the control of the Diggers' Committees.

The immediate fears of the Diggers thus set at rest, and their attention directed to the future, all was quiet in the Four Camps, and Mr. Southey issued a Proclamation to suppress gambling, in the drafting of which it may be

interesting to note that the late Mr. C. J. Rhodes, who happened to be the guest of the Secretary to Government at the time, and was not then twenty years old, made his maiden essay in public affairs, and contributed much useful information. The effect of the Proclamation was instantaneous and almost magical, for it met the wishes of the people, who were heartily sick and ashamed of the degrading vice. The gambling places were closed at once. The American gentlemen packed up their traps and departed with some £60,000, which in those days was considered a good deal of money, and the smaller fry slunk off to find other means of exercising their talents.

The next thing calling for serious consideration and requiring prompt action was the demand of the owner of the farms containing the dry diggings for the enormous claim-rents which most of the Diggers could not pay if they would, and the others would not pay if they could. The ill-advised exorbitance of the demands, while it ensured their failure, necessarily raised the question of the ownership of the diamonds in the soil, which in their own interests would have been better left in abeyance, for they had already, in modern parlance, given themselves away by timidly letting the Government collect their dues by means of licenses to dig for diamonds instead of boldly demanding them as rent. This, to a mind so clear and sagacious as Mr. Southey's, pointed at once to the inference that, the tenure of the land not being freehold, the owners were really quit-rent tenants under the crown, with only surface rights, and that the ownership of minerals and precious stones was vested in the Government. Fortified in this opinion by his Acting Attorney-General, and by Counsel in London, he boldly took up the gage thrown down to him at Port Elizabeth, and met the demands with a direct denial that diamonds in the soil belonged to the owners, or rather quit-rent tenants of the Crown. Consequently he refused to pay them the license-money to be henceforth collected, and claimed a refund of

all that they had hitherto received. The matter was thus relegated to the Law Courts, but it was never settled by legal decision, and in 1875 the farm Vooruitzigt was bought by the Government.

This name, Vooruitzigt, was unbearable to Lord Kimberley. He could neither spell it nor pronounce it, and he declined to be associated with the rowdy vulgarity of "New Rush." "Pniel" was not much better, and he desired that more euphonious names might be given to the several Divisions, and especially to the capital of the new Colony, so his wishes were carried out by the substitution of Kimberley, Barkly, and Hay for the old designations, the two first commemorating the names of the Secretary of State and the Governor, under whom the country had been annexed, and the last representing Lieutenant-General Hay, who, as Commander of the Forces and Acting-Governor, had been associated with the preliminary negotiations.

The constitution was then promulgated, and a stop put to legislation by proclamations. Preparations were made for the registration of voters and the election of official members, but some time had to elapse before the Legislative Council could be formed, and many matters of moment could thus not be dealt with as before; but the jumping of claims was continuously suspended month by month, and it was ordained that licences for claims in diggings or mines not forfeited but voluntarily surrendered might be sold by public auction.

There was thus, for the present, comparative quiet in the Diggers' Committee, so that time was allowed for the drafting of the Mining Ordinance that was to place matters on a sounder footing, and for the preparation of the Estimates and the various measures that were to be submitted to the Legislative Council; but there were even then signs and tokens that there was an unruly section which did not desire to have mining questions settled by legislative enactments based on open inquiry and debate, for even in the

matter of the "jumping" of claims, which the leading newspaper deemed to be repugnant to an honest man's sense of what was right, a stormy meeting passed a resolution that it was "just and proper." It was therefore plain that the Diggers' Committee meant to make a stand for the maintenance and extension of its powers.

The voters having been duly registered, the elections were held, though it was significant that even against this first step in the direction of self-government a protest was issued by a man named William Ling of the Diggers' Committee, and some others, on technical and unsubstantial grounds. Henry Tucker, also of the Diggers' Committee, was defeated at the poll, and the three who were to form the nucleus of a Parliament were Henry Green, an ex-Cape official; Dr. Graham, a popular man and a good public speaker; and David Arnot, the Griqua agent, who naturally secured all the native votes in the Hay or Griquatown District.

As Ling, who headed the protest, and Tucker, who had failed to be elected, now began to stand forward as the self-elected champions of the Diggers' Committee, or, as they put it, of the Diggers' rights, a short account of them may be given. Ling, who had come from Natal, and was little above the peasant class, was a typical digger—shrewd, dogged, and overbearing, of whom perhaps the best that can be said is that he was a devoted cricketer. Tucker was of a different class. He was not one of the horny handed practical sort, but a man of education and ability, who had formerly held a good position, having once been a member of the Cape Legislative Council; but he had been unfortunate in business, became a bankrupt, and left the Colony. Though thus dissimilar, these two men were firmly united in the determination to uphold the power of the Diggers' Committee, of which they were active members, and they were fairly representative of some sections of the digging community.\*

\* For a statement of their case, see Messrs. Tucker and Ling's long letter to Government in Appendix H.

The Legislative Council was duly opened, and the position of affairs laid before it, but it did not get fairly to work before the beginning of the following year.

A strange thing came to light before the year closed, for one of the loyal Native agents, or representatives of Chiefs of Tribes in the interior, came to the Secretary to Government to tell him that there must now be war between his tribe and the Transvaal, as they must fight for their lives; and he explained that Boer emissaries had been to his Chief and told him that all Natives who did not now come under the Transvaal Government would be killed, as the Boers had got a new kind of cannon that could swing round and round, and keep on shooting till all their people were dead. So wild a story would have been contemptuously rejected by most men, but Mr. Southey was satisfied that there was a substratum of truth in it, for the Native Agent persisted in saying that he had exactly reported what had been sent him by word of mouth by his Chief, who could not be suspected of causing baseless reports to be submitted to British authorities. The matter was shortly cleared up in an unexpected way. Mr. Houston, a Scottish gentleman, arrived at Kimberley on his way back from a shooting expedition in the interior, and staying with Mr. Currey, the Secretary to Government, who was a friend of his, told him that, passing through Pretoria, which in those pre-railway days, before the Witwaters Rand was discovered, was a place little visited, he had been amazed to see a battery of mitrailleuses "parked" in an open place in the town under the charge of German officers, who openly wore their uniforms, and the spiked helmets which had not then come into use in the English army. So strange a confirmation of the Kaffir agent's story about a cannon that could swing round gave the matter a very serious complexion, as it was clear that the guns and the German officers, spiked helmets and all, must have been brought into the country through a port of the Cape Colony, and Mr. Southey caused

the whole story to be sent to Sir Henry Barkly, who, though inclined to doubt the possibility of its truth, promised to make inquiry. He found that things were as had been represented, and the matter got wind to some extent, probably through Mr. Houston, who had gone to Cape Town, and saw no necessity for secrecy; for, writing on the subject to Mr. Southey on the 13th November, Sir Henry Barkly said—

“You will see that the *Standard and Mail* alludes to the mitrailleuses about which Mr. Currey wrote to me. I have not got to the bottom of that story yet. Orpen, of Port Elizabeth,\* declares that the packages were ‘disguised,’ so that he did not expect them to be warlike stores, and this, if proved, makes the matter more serious for the shippers who had been called on for explanations.”

Nothing more was heard of the matter, and Sir Henry Barkly probably found it would be useless or impolitic to press it on the notice of the English Government, for in May of the same year he had written to Mr. Southey, “Lord Kimberley is utterly incredulous about German intrigue in South Africa.” But the German uniforms disappeared from the streets of Pretoria, and the mitrailleuses were stored away, though they mark the beginning of the collection of arms which more than a quarter of a century later was to enable President Kruger to declare that a war between England and the Transvaal would “stagger humanity.”

Another matter which weighed heavily on Mr. Southey’s mind at this time was, from the lowest point of view, the desirability, and from a humane point the necessity, of making some provision for the safe passage of the thousands of natives who even then came from the whole country south of the Zambesi to work at the Diamond Fields.

\* The Collector of Customs, a brother of the Surveyor-General of Griqualand West.



Starting with only vague ideas of distance, no money, and but little food, their sufferings were terrible. In the winter time, when ten or even fifteen degrees of frost prevailed at night, they died in numbers round the scanty fires with which they tried to warm their unclad bodies. On the road they could get no help. Even in the month of October, when warm weather was setting in, twelve of these poor creatures died of hunger and exhaustion in a single night within a day's march of a Transvaal town. To the Boer the idea of a native wandering without a master is abhorrent, and in those days a single native found in the veld or on the road would be lucky if he escaped with only such punishment as the nearest Field Cornet might award. Travelling in large bodies, they were comparatively safe, though those who lagged behind were frequently arrested as vagrants, and put to forced labour, or flogged, or imprisoned and set in the stocks, as happened to a party of Zulus passing through the Orange Free State. At best, they had to journey through an unsympathetic, if not absolutely hostile, country, ill-treated in going and often robbed in returning. Some remedy was certainly required. The only plan possible appeared to be to establish depôts along the line of march where the travelling natives could rest, and where they could be supplied with food, if necessary, in the form of the Kaffir corn or millet, of which they make their porridge. There would be a difficulty, of course, in the matter of payment, as the natives had no money on their downward journey; but Mr. Southey thought this might be got over by selling the grain, not to individuals, but to the whole party, who should be jointly and severally responsible for the debt, which was to be paid on the return journey, or at Kimberley. This could have been easily arranged, as all the Chiefs had headmen amongst those working in the mines who could collect what was owing by each party before they returned. As far as the road lay through Native territory the plan seemed feasible, as Native Chiefs might

be employed as agents; but cautious inquiry showed that no such assistance could be looked for in the Transvaal, and the only way of effecting the object in view seemed to be to buy farms at convenient distances from each other, and put English farmers in charge as agents. It was thought that such agencies might soon be self-supporting, and so arose in Mr. Southey's mind the larger idea that, by the judicious purchase of farms along the main lines and trade routes of the Transvaal, a valuable and eventually influential body of English burghers could be quietly and peaceably created. Farms in the Transvaal could then be bought for very little money, and, indeed, often changed owners by means of barter, an old waggon or cart or a gun being given in exchange, and £500 would not only buy a farm, but provide sufficient stock and implements. If two thousand English families had thus been settled in the Transvaal between 1873 and 1880 the condition of affairs might have been very different from what it was in 1900, but the scheme had to be abandoned because money was not then obtainable.

## CHAPTER XI.

Mr. Southey Lieutenant-Governor of Griqualand West—Lord Carnarvon and Federation—The Mining Ordinance—Aylward and the malecontents—Difficulties with Waterboer—The Legislative Council—The Land Question—Betrayal by Attorney-General—Kimberley malecontents—Ordinances disallowed—Aylward and his followers—Sir H. Barkly's vacillations—An outbreak imminent—Troops sent to Kimberley—End of Lieutenant-Governorship.

IN the beginning of 1874 there was a change of Ministry in England, Lord Carnarvon succeeding Lord Kimberley as Secretary of State for the Colonies, and one of the things promised in the Conservative declaration of policy was "vigorous Colonial administration." This naturally excited some curiosity among local politicians, as the Cape seemed the only place where vigour could be shown, and from a visit to South Africa by Mr. Froude, and later from public Despatches, it appeared that Lord Carnarvon had taken office with the idea and purpose of forming a federation of the South African Colonies and States. This is not the place for narrating what occurred in the pursuit of that crude and hastily formed idea, but what is of some importance to the subject in hand is that under Lord Kimberley's direction, and at his special request, Sir Henry Barkly, in 1872, succeeded in introducing Responsible Government at the Cape, and that the Cape being the dominant partner in South Africa, no project of federation could be carried through without the assent of the Colonial Ministry. This was a stumbling-block and a rock of offence to Lord Carnarvon, who could not be expected to view its author with much favour, and Sir Henry Barkly, one of the most cautious of men, had consequently to guide his steps with more than usual discretion.

It was unfortunate for Mr. Southey that, being only Lieutenant-Governor, he was not in direct communication with the Secretary of State. Whatever he had to say was sent through the medium of the Governor-in-Chief, whose comments would naturally have great weight, and might in critical times have an untoward effect, especially if that official should feel himself on delicate ground and be largely actuated by a desire to shield himself from personal responsibility. The privilege of private correspondence with the Secretary of State, which is so useful in official life to explain public Despatches, was consequently denied to Mr. Southey, and this served to accentuate the difficulties of his position. It must be understood that the Blue Books relating to the occurrences of the time, admirably full and apparently complete as they are, contain only such of his Despatches as Sir Henry Barkly chose to forward, and out of these only such as the Colonial Office chose to publish. They can be referred to by the curious in such matters in the series known and marked as C, Nos. 1342 and 1401, presented to Parliament in 1876, but for the present purpose it will be sufficient to quote from them in continuing the narrative form, and to print in the Appendix such of Mr. Southey's unpublished Despatches as may appear to throw light on the general position while utilizing his private papers with care and discretion.\*

The first of the Despatches now published relates to the intrigues of President Burgers of the Transvaal Republic with the Batlapin branch of the Bechuanas, which occupied and claimed titles to land in Griqualand. It seems that Sir Henry Barkly was already in communication with President Burgers on the subject, for, writing to Mr. Southey on the 12th of March, he says that he had found it difficult to reply

\* As it is desirable to show Messrs. Tucker and Ling's case, a letter stating it is published in Appendix II.; also in same Appendix will be found a specimen extract from the *Diamond Field* newspaper. Extracts and *Précis* of Despatches from Lieutenant-Governor Southey and Sir Henry Barkly are given in Appendix I.

to his (President Burger's) Despatch, as he felt that the Keate award should have been given in another form, but that he had told him that "the British Government would insist on maintaining it in its integrity." In answer to Mr. Southey, on the 28th February he strongly urged action in the matter on the part of the British Government, but added—

"The utmost I expect, however, in reply will be a refusal to recognize the validity of the treaties entered into by Burgers, leaving to us the responsibility of preventing their taking effect."

It was clear, therefore, that there was no prospect of active intervention by Lord Kimberley, and it was soon made plain that Lord Carnarvon, who was looking forward to a federation with the South African Republic, or the acquisition of all its territories, was not willing at that time to enter into a serious quarrel with its President. He wrote to Mr. Southey—

"Lord C. shows no sign of relenting as to Batlapina, and seems to have an idea that I have rubbed up the Boers the wrong way, and that if I had been more friendly the Free State and Transvaal would gladly enter into a South African Federation."

Sir Henry Barkly closed the sentence with a mark of exclamation, and with regard to other matters of a confidential nature connected with the Transvaal he added, "It is clear that his Lordship is completely at sea as to South Africa." The story is interesting, if only to show how even high-placed officials in the zealous discharge of their duties may unwittingly give offence to their superiors.

Returning to local affairs, the Mining Ordinance was introduced into the Legislative Council in March, and it was hailed as a gratifying circumstance that the *Diamond Field*, which must henceforth be regarded as the organ of the malcontents, pronounced it to be "a satisfactory effort in legislation." As its provisions were discussed it became evident that the old order of things could no longer be maintained, and the same newspaper acknowledged that the time

was undoubtedly at hand when restriction in the matter of ownership of claims could not be enforced, and portions of the Kimberley Mine must pass into the possession of Joint Stock Companies. The Ordinance having been passed in June, the Mining Board for Kimberley was elected in July, and it must be noted that Ling and Tucker were both members of it, so that they still continued to hold their old position in respect of useful and practical mining matters. It was clear, however, that this was not all they wanted, for in the same week in which the Board held its first meeting the first note of vehement opposition to the Administration was sounded after the *Diamond Field* had declared the Mining Ordinance to be "most mischievous," for on the 15th of August a mass meeting was held, not to consider questions connected with diamond digging, but to protest against the form of Government in existence. Tucker was Chairman of this meeting, at which most violent and inflammatory language was used, quite irrelevant so far as matters connected with the mining industry were concerned, and this change of front was accounted for by the first public appearance of a man who then went by the name of Alfred Aylward, who at once dominated the assemblage. This man Aylward, *alias* Rivers, *alias* O'Brien, *alias* Nelson, an ex-Fenian Centre, as he subsequently described himself in a letter to Mr. Southey, was fresh from gaol. He had been sentenced to eighteen months' imprisonment with hard labour for assault, with intent to murder or do grievous bodily harm, by shooting a fellow-digger in cold blood, having gone home for his revolver after a trifling quarrel between them had been apparently settled. His vehement words quite carried away the meeting, including its original promoters, for he seemed to be a man of action and the instrument they wanted, and so a Vigilance Committee was appointed, and a crisis might be looked for, as the meeting was adjourned for a few days, when stronger measures would no doubt be advocated.

Aylward was now accepted by the other leaders as at least their temporary chief, or rather perhaps as a convenient "cat's-paw," whose boldness and reckless courage would effect their purpose at his own risk and not at theirs. The Vigilance Committee was now transformed into a "Committee of Public Safety."

It was natural, however, that some of the more timid or prudent of the malcontents should be alarmed at the lengths to which Aylward seemed to be prepared to go, and Mr. Bean, one of these, entered into a correspondence with the Secretary to Government with a view to temporizing, and wanted Mr. Southey to receive a deputation from the Committee of Public Safety for the discussion of certain matters. Mr. Southey in reply caused Mr. Bean to be informed that though he would gladly meet individuals he could not receive a deputation from a political organization which had neither law nor executive authority for its basis, and had assumed the liberty of interfering not only with the ordinary functions of the Government, but with those of the Mining Boards regularly elected by the general body of claim-holders from among themselves. The position was carefully and accurately described to Sir Henry Barkly, and Mr. Southey might, as he said, have felt confident that a great majority of the people engaged in and about the mines were not in sympathy with the movement. He may also have believed that even with the small police force of only thirty men, which was all that the scanty revenue would enable him to keep, aided by such special constables as might be sworn in on occasion, any rioting could be put down. He probably only contemplated the possibility of noisy demonstrations of crowds armed with sticks, with perhaps some window-breaking, and a little rough treatment of Natives, for there was no talk then of the Committee of Public Safety enrolling and arming men to over-awe the Government in order to enforce compliance with its demands, or even transfer the supreme power to itself or the Orange

Free State. Still, especially to an official of Sir Henry Barkly's experience and caution, the mere fact of the creation of a Committee of Public Safety in avowed opposition to the Queen's Government must have been fraught with grave significance. There is no doubt that if at this early stage he had boldly intervened or authorized Mr. Southey to proclaim that the formation of such a body as the Committee of Public Safety was in itself an illegal act, and that unless it were dissolved exceptional and, if necessary, even forcible measures would have to be taken, for the cost of which special taxation of the mines and township must follow, the larger and better part of the community would have been roused to at least such a degree of activity as would suffice to protect their own interests.

But the cautious side of Sir Henry Barkly's nature made him unwilling to take any such step. He had by this time been made to understand that in view of Lord Carnarvon's project of federation disturbance in any part of South Africa was to be avoided at even serious risk, and he would not read between the lines of Mr. Southey's Despatch, or form an independent judgment of the danger evinced by the extreme step taken at Kimberley, within three miles of the border of an unfriendly Republic, though some of the speakers at the mass meeting had declared that the territory belonged of right to the Orange Free State, and that its President would be welcomed if he should arrive.

The Legislative Council had been prorogued after a long and somewhat intermittent session, in the course of which it had passed thirty-one Ordinances dealing with the paramount industry of diamond mining, and the traffic in diamonds which necessarily accompanied it, the administration of justice, the regulation of legal procedure, Crown lands, hospitals, the sale of wines and spirits, and other local matters. Mr. Southey now felt himself able to carry out the important duty of visiting that portion of the territory west of the Vaal River, which was occupied by the Griquas.



His presence was much needed there, for the old Chief, who in his prime had been a fine, dignified, well-spoken man of superior intelligence, showing a marked preponderance of white blood, was failing in health, and, unable to control his family, was yielding to intemperance. The people about him lived on him without compunction, and though he was allowed a sufficient income for the maintenance of his household, he was already in debt. Worse than all, he was beset with designing persons, some of whom continually urged upon him that in making over the control of the Diamond Fields he had not surrendered his jurisdiction over his own people, and pressed him to assert his powers and give titles to land; while others excited the fears of his family and friends by telling them that their farms, now held without titles, would be taken from them by the grasping English Government, which for purposes of its own was withholding their issue. It was, therefore, highly necessary that Waterboer should be soothed, supported, and counselled, and Mr. Southey's kindly manner, joined to his firmness of purpose, eminently qualified him for the task. He had, indeed, foreseen the occurrence of the difficulties which he had now to face when the annexation of the territory was under consideration, and it was at his instance that Sir Henry Barkly had refrained from sending an English magistrate to Griquatown, where it was desirable that quiet should be maintained and Native questions allowed to remain as much as possible *in statu quo ante* until a new order of things had been firmly established by the white population at the Diamond Fields becoming a settled community. Of this, however, there was no immediate prospect, and in the mean time if the conflicting claims to land could not be effectually dealt with, it was necessary to do something to allay the fears of the Natives, both Griquas and Batlapins, as well as to prevent Waterboer from being driven to some act of folly or indiscretion by the pressure put upon him.

The trouble had reached an acute form from the existence

of a Land Board created by Sir Henry Barkly before Mr. Southey's assumption of office, and this Board of three persons had unfortunately been vested with the power of inquiring into, as well as registering, claims. This authority would have been dangerous under any circumstances, considering the many sources from which claims could spring, the wild unsettled character of the Native claimants, and the even remote possibility of diamond discoveries which had created the class of white speculators and traffickers already mentioned ; but the danger was immensely increased when, as has been said, it was known to Mr. Southey that Mr. Burgers, the President of the Transvaal, was intriguing with some of them, and with some of the offshoots of the Bechuanas forming the Batlapin tribe, making large promises to the former if the latter could be persuaded to come under the rule of the Republic.

Under such conditions a vague power of "inquiry" would have been open to grave objection. In this case it was accentuated by the fact that the Land Board in question had from the outset failed so entirely to appreciate or even recognize the delicate nature of its duties that Mr. F. Orpen, the Surveyor-General, declined, at a very early stage, to accept any responsibility in connection with its proceedings. He had thus virtually withdrawn from it, while its fitful and ill-considered "inquiries" were stimulating the activity of those bent on acquiring land, alarming and irritating the Natives, and at the same time encouraging President Burgers in his hopes of territorial extension.

So Mr. Southey journeyed to Griquatown, and sent a full report of his proceedings and what he proposed to do to Sir Henry Barkly. It was impossible for him to deal with disputed and conflicting claims to land, but to allay irritation he proposed to issue provisional titles to such Griquas as Waterboer might certify to have individual rights—such provisional titles to show the extent of each farm, and to be available for transfer at minimum prices

inserted therein. This, though the Commission was appointed, was found so difficult to carry out that it had to be abandoned, but Mr. Southey had in the mean time appointed the three members of his Executive Council a Commission to arrange and classify all the claims to land, and report to him what cases were clear and undisputed, so that final titles might be issued, leaving all disputed or doubtful cases for the decision of such authority, whether Royal Commission or Special Law Court, as the Secretary of State might determine.

Early in the year some of those who had acquired claims to land had made direct application to the Colonial Office for titles, and Lord Carnarvon, writing on the 5th August, suggested the appointment of a Special Commission, not only to inquire into, but to decide the claims of these persons and others of a like nature, if they could not be conveniently dealt with by the existing Law Courts of the Province. Sir Henry Barkly replied to that despatch of the 31st of the same month, stating what Mr. Southey had done in the matter, and pointing out that the Commission which he had appointed could not deal with disputed cases for the settlement of which the requisite machinery had to be created. All that was then necessary for the settlement of the land question was the Secretary of State's authority for the issue of the titles in clear cases, and his decision as to the nature of the tribunal that should deal with disputed cases; but at this point the published correspondence ceased, and the matter remained in abeyance. Some private communications probably passed between Lord Carnarvon and Sir Henry Barkly, though two months elapsed before his Despatch was answered, and Sir Henry was, no doubt, made to feel that he was on slippery ground, for, writing to Mr. Southey on the 9th November, he said—

“It seems so clear that back-stairs influence is at work misrepresenting everything that I all but despair of getting

the truth listened to. The present Chief (Lord Carnarvon) is, I am told by those who know him, crotchety, nervous of being found fault with, and obstinate to a degree when he has once got an idea into his head. In a private letter, as usual very civil, he says he wishes to support you, but that the question of title to land has got into such a tangle that he has no other mode of settling it but by a Commission."

In August Mr. Southey reported his appointment of the Executive Council members to report on all cases in which title might at once be issued, and of this Lord Carnarvon eventually approved, and only suggested that "the ground should be cleared" before the creation of a legal tribunal or the appointment of a Commission to deal with the disputed or tangled cases to which he had referred. The question whether claimants in disputed cases could be heard in the Recorder's Court of the Province had naturally been referred to Mr. Shippard, the Acting Attorney-General, for opinion; and it is worthy of note that this simple opinion which the Lieutenant-Governor asked for in September was not furnished till December, and that even then Mr. Shippard contemplated a Commission with Judicial powers.

The condition of the Province then, at the end of 1874, was that at the Mines a self-elected Committee of Public Safety was trying to over-awe the Government, while precious time was being lost over the land question, a prompt settlement of which would have silenced the other dangerous faction, and prevented an amalgamation of the two parties whose interests lay in opposing law and order, and the peaceable settlement of vexed questions by legal decisions or legislative action.

If there had been only one hostile faction to deal with, or if they could have been dealt with separately, Mr. Southey might have been able to cope successfully with either of them, but united they might so inflame the passions of their adherents, and excite the heedless young fellows who

delighted in a row of any kind, that the situation was full of danger.

That the position had been clearly described to Sir Henry Barkly is plain, for, writing to Mr. Southey on the 1st December, he said—

“I am beginning to feel some alarm as to the future state of affairs at the Diamond Fields. Misfortunes seem to thicken around you. I am sure, however, that you will do your best to cope with the crisis.”

At this critical time Mr. Southey found, to his amazement and grief, that he could not implicitly rely on the loyal help of the whole of his Executive Council, or the support of the Governor-in-Chief, through whom alone he could address the Secretary of State. He made the painful discovery that what Sir Henry Barkly had called “back-stairs influence” could be exerted in other places than Downing Street, for in December Mr. Shippard went to Cape Town, and there, under what Sir Henry afterwards admitted to have been his personal direction, prepared the draft of an Ordinance for the creation of a Land Court under a single Judge, though in the same month he had officially reported to the Lieutenant-Governor, his immediate superior, in favour of a Commission with judicial power, which was what Lord Carnarvon had suggested.

This sudden change of opinion on the part of so confidential and important an official as his responsible legal adviser would under any circumstances have disturbed the mind, if it did not shake the faith, of any Administrator; but that the change should not only have been made but acted on behind his back, though Mr. Shippard, as the Attorney-General of the Province, was bound to act under his direction, was so foreign to Mr. Southey’s notions of good faith and fair dealing, of professional etiquette, and of private honour, that he could scarcely believe it possible. He was astonished and deeply wounded to find the man to

whom he had to look for counsel and support engaged in work which he could only regard as justification for loss of confidence either in his integrity or in his capacity.

It must be observed that there was no difference of opinion on the main point of getting the land question settled as soon as possible. On that the Secretary of State, the Governor-in-Chief, the Lieutenant-Governor, and his legal advisers were all agreed. Whether a Judge or a Commission was to deal with disputed cases was a question of almost academic nature which could have been settled by discussion, or, at the worst, by the final decision of the Secretary of State. Mr. Southey personally preferred a Commission, as two heads in difficult cases are better than one, and a single Judge sitting without appeal might possibly be swayed by unconscious mental bias or infirmity of temper, as subsequently happened, and seeing that he was supported in the choice of a Commission by the Secretary of State and his legal adviser, he may naturally have thought he was on safe ground; but no sooner had he informed Sir Henry Barkly that he would introduce an Ordinance for dealing with the matter than Sir Henry's Cape Town Ordinance arrived, which provided for a Court under a single Judge. To this in itself Mr. Southey would probably have raised no objection, but he saw plainly that the draft went too far in some directions, and not far enough in others. It seemed to him unjust that natives and others whose claims were not disputed should be obliged to employ solicitors and counsel, and go into a Law Court, at great cost and inconvenience, to obtain a formal recognition of what Sir Henry Barkly had himself guaranteed in his "Quieting" Proclamation when he annexed the territory.

On reading the draft Ordinance, which had been prepared by the Governor and Mr. Shippard, Mr. Southey felt it required revision, and though he had been passed by in the matter he was bound, as the Responsible Lieutenant-Governor, to exercise his own judgment and do what he felt

to be his duty ; so when the draft came before the Executive Council for consideration before it could be submitted to the Legislature, seven new clauses were added, and others were amended. Lord Carnarvon approved of the draft as thus amended, subject to an inquiry on one point, and it was sent to the Legislative Council, where the second reading was carried on Mr. Shippard's motion, and it was finally passed in the only form in which the elected members would support it. The remainder of this part of the story may be told in a few words. Mr. Shippard, in his capacity of Acting Attorney-General, refused to certify that this Ordinance should receive the Royal assent, and after Mr. Southey had quitted office, the Ordinance, though it had been passed, was sent back to the Legislative Council, and it was eventually decided that all claims to land should be sent to a special Court under a single Judge. Mr. Southey had foreseen a possibility which then occurred. The judgments of the Court were so harsh that they were submitted to the Law Officers of the Crown in England, who were aided by Mr. W. Downes Griffith, who had been Attorney-General at the Cape before the introduction of Responsible Government, and finally the issuing of titles was left practically to Captain, afterwards Sir Charles, Warren, to be dealt with in a liberal spirit, and neither Court nor Commission settled the great Land Question after order had been restored in the Province.

Returning to the malcontents at Kimberley, it may be noted that as one outcome of the meeting, which resulted in the formation of the Vigilance Committee and the Committee of Public Safety, a petition was sent home asking for the appointment of a Royal Commission to inquire into the state of Griqualand West, but the grievances set forth were so vague, and, if existent at all, were so plainly susceptible of domestic legislation or executive action, that the prayer for a Royal Commission was refused at the beginning of 1875, and fresh grounds had to be sought in order to keep up the popular excitement. These were soon found.

The factions of the old Diggers' Committee and the land speculators coalesced, and while the *Diamond Field* newspaper, their organ, began to publish violent articles about what it called the land swindle, Ling stepped forward as the champion of Diggers' rights in his own person, being threatened with ejection from a large piece of ground in the middle of the town, which he insisted on occupying rent free. The *Diamond Field* having published what the Acting Attorney-General considered a seditious libel, in which it referred to the Government as "our nefarious rulers," the publisher was ordered to be prosecuted, and the Diggers' rights, and the liberty of the public through the Press, being both menaced, another mass meeting was called for the 3rd March. It mattered not that both the new grievances were subjects that had to be dealt with by the Law Courts, and were outside the scope of the Executive Government's functions. It was "now or never," and agitators had, therefore, to make the best of the materials at hand. They did not entirely represent public opinion, however, for at this time over two hundred bankers, professional men, merchants, and claim-holders presented an address to Mr. Southey expressive of their admiration of his zeal for the welfare of all classes, as well as of the impartiality and ability of his administration, and at the same time expressed their entire confidence in him.

At the mass meeting Tucker presided, and said that at first they had no intention of opposing the law, but they must stand between Ling and Taylor, the publisher of the *Diamond Field*, and the Government, and stand by each other to the end. Mr. Halkett, a barrister, made an excellent speech counselling moderation, and suggesting that the purchase of Vooruitzigt, with its mines, by the Government would probably remove most of the present difficulties; but moderate counsels were not acceptable, and at the end of the meeting, Aylward, once more dominating the assemblage, brushed aside the resolutions which had been passed, and



amid cheers told them that he had been "ordered to direct them" on his hoisting a black flag at the mine, to "assemble with their rifles and revolvers and other necessary articles in the name of Heaven and of their country."

Coming from a man of his character and antecedents, such words might be thought to be merely sound and fury signifying nothing, but, in any case, Mr. Southey was not to be deterred by them from the ordinary discharge of his duty, and two days after the meeting he opened the Session of the Legislative Council, when it was his unpleasant task to inform the members that four of the Ordinances passed in 1874 had been disallowed, a fact which naturally discouraged the Council while it cheered the malcontents. Three of these Ordinances referred to questions connected with land, with regard to which Lord Carnarvon had expressed a wish "to have the ground cleared," and the fourth was to empower the Government to raise a small loan of £25,000, which was urgently needed, for surveys of the land to which titles were to be issued, and such modest public works as were most necessary or desirable. These included taking out the water of the Vaal River at a place called Fourteen Streams, and the construction of a channel which would have brought a large tract of rich land under irrigation for the growth of the cereals, which at that time had to be laboriously carried hundreds of miles by bullock-waggons.

To Mr. Southey the disallowing of the Ordinances which he had deemed necessary for the welfare of the Province meant more than the discouragement to which elected members of the Council might feel at further difficulties being put in the way of the settlement of the land question, and the stopping of urgently needed public works. It showed him beyond the possibility of doubt that, while he could not count on the loyal co-operation of his legal adviser, or the support of the Governor-in-Chief, he could expect no help from the Secretary of State, whose unexpected official rebuff was indeed so severe as almost to imply a want of

confidence. If he had consulted his own dignity and happiness he would at once have tendered his resignation. Had he done so, and the fact had become known, it is possible that the malcontents might have snatched at a pretext for abandoning their position in view of possible changes in their favour; but Richard Southey was not the man to quit his post in the moment of danger, and he had confidence, with reasonable support, of being able to overcome the difficulties that surrounded him. What he did not know was that the mere existence of the Province of Griqualand West was resented by the Governments of the Orange Free State and the South African Republic, which Lord Carnarvon insisted must not be "rubbed the wrong way," at least while he was hoping to get them to enter the proposed confederation, for which great preparations were already being made. The object Lord Carnarvon had in view rendered the nearest thing to effacement of the Province so desirable for a time that any signs of vigorous life in it had to be suppressed, or at least ignored; but this Mr. Southey, who had not the privilege of private correspondence with the Secretary of State, could not know. Sick at heart, deserted and isolated, but resolutely determined when called upon to face great and imminent danger, he went steadily on in the course which duty clearly prescribed.

In February, before the mass meeting at which Mr. Halkett had suggested the purchase of the farm Vooruitzicht as a possible cure for the Diggers' grievances, Mr. Southey urged the desirability of this; but Sir Henry Barkly professed to be so staggered at the suggested price of £80,000 that he declined to entertain the proposal; and no doubt great offence would have been given to the neighbouring Republics, which Lord Carnarvon was so anxious to conciliate, if the Crown had then become the owner of the great diamond mines. But three months later, when the trouble was virtually over, and all idea of keeping things

dark had to be abandoned in view of the fact that a British force of Horse, Foot, and Artillery had marched through the Karoo and was close to Kimberley, he wrote to Lord Carnarvon making the suggestion his own, and the property was then bought for £100,000, and proved a most successful financial operation.

It was soon made clear that Aylward had something behind him, when at the mass meeting on the 3rd March he said he had been ordered to direct the people to assemble with arms in their hands as soon as he gave the appointed signal. On the 17th another mass meeting was held, at which a new organization, called "the Diggers' Association of the Combined Camps," was formed, without any mention of "protection," and on the same day he was in a position to serve out ball cartridges to the seven distinct companies that were formed under the chief command of Ling, Tucker, and himself, one company being composed of Germans under a hot-headed young fellow, said to be of good family, named Von Schlickmann.\* These companies now commenced to drill and parade the streets in arms, and Mr. Southey wrote to Sir Henry Barkly that it was absolutely necessary that a sufficient force should be stationed at Kimberley till order was restored and the ringleaders of the armed opposition to the constituted authority made amenable to justice, and that in the mean time he could only remain on the defensive. Sir Henry replied that he trusted there would be no necessity for this, and that the Lieutenant-Governor could rely on moral influence in dealing with the situation. It must be borne in mind that at this time Despatches took at least a week each way between Cape Town and Kimberley, and that the nearest telegraph station was at Colesberg, 200 miles from the seat of disturbance.

Left thus to such means as were within his own power, Mr. Southey invited all the Justices of the Peace to meet and confer with him. He arranged with them to collect the

\* Subsequently killed when fighting for the Transvaal.

names of all the respectable men who could be relied upon to serve as special constables, but Captain Gilfillan, who had formerly commanded the Frontier Armed Mounted Police at New Rush, and after his retirement had become a claimholder, gave it as his decided opinion that it would be impossible to avoid a collision, and that the only advantage the Government had was in probably being able to decide on what grounds such issue should be joined as to involve the use of arms. This, however, was really no advantage. The Government, being anxious to preserve the peace, had no desire to promote a breach of it that would almost certainly end in bloodshed, and had to leave it to the insurrectionists to fire the first shot. It was not easy for them to hit upon an adequate cause, but one was soon found.

The action of the newly formed Diggers' Association and the parading of the streets by bodies of men with guns in their hands could not be ignored, and Mr. Southey on the 19th March published a Proclamation warning all people against taking illegal oaths or assembling in arms. It was probably by Aylward's dictation that on the next day a counter "Proclamation" in official form, headed with the Royal Arms, and ending with "God save the Queen," appeared in the *Diamond Field* newspaper, signed by Tucker and Ling, for of their own accord they would certainly not have ventured on so useless and flagrant an insult to the supreme authority. This counter Proclamation traversed that issued by the Lieutenant-Governor, and with abundant professions of loyalty and affection for the Queen, announced the intention of the Diggers' Association to protect life and property, and maintain order. It made no mention of Ling or Taylor, or the pledge of protecting them, but once more changed the front presented by the malcontents, and, assuming the right to maintain what they might consider order without any reference to law, actually assumed executive powers.

On the 20th March, the day on which the counter Proclamation appeared, Mr. Southey laid the position before

Sir Henry Barkly, again urging prompt and energetic measures, and the presence, as soon as possible, of such a force as would convince the disaffected that resistance to constituted authority was hopeless, and dispel the illusion that Her Majesty's Government in Griqualand only existed on sufferance.

Here again was an opportunity, and that Sir Henry Barkly failed to avail himself of it can only be accounted for by assuming his unwillingness to incur the possible displeasure of the Secretary of State. As the Cape Parliament was sitting, it may have been inconvenient for him to go to Kimberley in person, even if his previous experience had not made the prospect of another meeting with the Diggers uninviting. If a military or civil officer of sufficient standing, or even a member of his personal staff, had been sent up to speak in his name, and warn the leaders publicly that unless the Association were dissolved, and quiet restored, an adequate military force would be sent up at the cost of the Province, which at that time meant practically the Kimberley mine and township, the strong common sense of the bulk of the people would have made them listen to reason and consult their own interests, compelling Tucker and Ling, who after all were men of no weight, to abandon the hopeless enterprise on which they had embarked, under the direction of the Fenian Aylward, who had virtually taken the command out of their hands. Sir Henry, however, had no desire to accept any responsibility by associating himself with the Griqualand West Government, as long as it was possible to avoid it, and he replied on the 30th March to Mr. Southey's Despatch of the 20th, that he had not recommended stationing soldiers at Kimberley, though he would do so, or even act on his own responsibility, if actually necessary, but that he still hoped to hear that all danger was past, and that Mr. Southey had found that he could rely on moral influence. The Despatch here quoted from is remarkable, because in it Sir Henry reminded Mr.

Southey that on a former occasion before his appointment, when concessions had been extorted by a display of violence, they had been worked without military aid. He did not add that conciliation had been offered by himself in the form of a change of Administration and the promise of self-government on the occasion in question, but it was easy to read between the lines and see that another change of Administration was hinted at as a possibility at the present juncture, as a means of conciliation if moral influence should prove insufficient.

Aylward was not a man to be affected by moral influence, even if Mr. Southey had been able to exert it, and the leaders of the movement hearing no sound from Cape Town, from whence they no doubt expected unpleasant tidings, and stimulated by secret unaccredited agents from the Republics, came not unnaturally to the conclusion—in which, indeed, there was considerable truth—that Mr. Southey was not being supported by his superior officers. He consulted his Executive Council about issuing a notice which he had drafted, inviting well-disposed persons to come forward and enrol their names for service if they should be wanted, but this was opposed by the Acting Attorney-General and the Treasurer; the former in a Minute giving as his reasons that the movement was more against the owners of the farms than against the Government, and deprecating the arming of one section of the community against another, except in a case of necessity, which had not yet arisen. The latter believed the malcontents to be, with few exceptions, perfectly loyal, and recommended remission of taxes, the reduction of expenditure, and wise conciliation by reformation of the Government. Though he could not share their views, which he effectually examined and disposed of in a Despatch to Sir Henry Barkly on the 27th March, Mr. Southey thought it best not to do anything that might precipitate a conflict before he was sure of being able to prevent one by a show of overwhelming force, and the notice was not issued. Sir

Henry, writing on the 27th April, expressed an opinion adverse to the objections raised by Messrs. Shippard and Giddy.

On the 25th March, Sir Henry wrote to Mr. Southey that he was glad to find Aylward had openly resorted to such violent measures as to admit of his arrest if it could be done by the ordinary arm of the law, but that he would be loath to send soldiers till *after* an outbreak had occurred. The arrest of Aylward, or rather an attempt to arrest him, at that time would no doubt have caused the outbreak, but as he was wholly unprepared for it, Mr. Southey could not take the suggested step, which must have immediately brought about a conflict in which he would have had no chance of success against the three hundred armed men at Aylward's back. Matters consequently remained as they were.

Mr. Tucker was too sensible to believe that any permanent success could be achieved by Aylward's violence, but he probably thought, seeing Mr. Southey appeared to be unsupported, that he might be willing, if not to purchase peace at any price, to make such concessions as would suit the immediate purposes of his followers and himself, and on the 24th March he asked if the Lieutenant-Governor would receive a deputation to discuss eleven matters of grave importance. Mr. Southey replied, reviewing the eleven matters proposed to be dealt with. He pointed out that only three could be made the subject of immediate conference, and said that on those he was prepared to receive, not a deputation, but any persons who in their private capacity might desire an interview. The three subjects were the necessity for a vagrant law, regulations for security and order in mining camps, and the registration of servants. No possible concessions in all or any of these matters could help the Association, and the interview was never asked for.

The ordinary course of law had to be followed if the Government was not to fall into absolute contempt, and when, in the course of regular inspections, it was found that

contraventions of the Cape Colonial law relating to arms and ammunition—a subject on which the neighbouring Republics felt very sensitive—were occurring, some ten persons were summoned to appear before the Resident Magistrate to answer the charge made against them. One of these was William Cowie, a canteen keeper, not a licensed dealer in arms, who had obtained twenty guns, which he had delivered to Aylward. Whether Cowie claimed the protection of the Association does not appear, though he might fairly have done so; but the Association took up his cause, and between the issuing of the summons and the hearing of the case it became known that any attempt to carry out a conviction would be resisted by force of arms.

The trial took place on the 13th April, and, though a serious breach of the peace was almost certain to occur, the Lieutenant-Governor's orders were that all public business should be carried on as usual, and that every public servant should be at his post. The convicts and their Zulu guards were kept in the prison yard, and the Inspector of Police was instructed to have half a dozen of his men at the Court House with their rifles and bayonets to escort the prisoner, if necessary, while the rest of his force, only about twenty, were to be under arms inside the gaol gates ready to fall in at a minute's notice.

Cowie was convicted at about four o'clock in the afternoon, and some of the people in Court hurried out. He was sentenced to pay a fine of £50 or undergo three months' imprisonment with hard labour. Thereupon a black flag was hoisted at the mine, and armed men at once appeared converging on the Court House. No time should be lost if the prisoner were to be taken to gaol, and then it appeared that the instructions to the police had been either neglected or forgotten, for there was no escort, and the men were in their barracks about a hundred yards below the gaol, while the Associationists, running from different parts, had lined the road in front of it, and blocked the entrance. In this



emergency Mr. D'Arcy, the Resident Magistrate, who, having been a witness, had not been able to try the case, rushed into the Government Offices and returned with four Justices of the Peace, Captain John Carr, Dr. Grimmer, Mr. T. R. Merriman, and Mr. H. B. Roper, and joining Sergeant Bradshaw of the Mounted Police and three of his men, who had been hastily collected, volunteered to take the prisoner to the gaol, a distance of about 250 yards. The entrance being blocked by the armed Associationists, the escort with the prisoner halted in front of them. Mr. D'Arcy inquired who was in command, and Ling stepped forward. Asked if he knew what he was doing, he called Tucker, who requested the magistrate to let things remain as they were while they went to the Council Chamber to see Mr. Southey. While this was going on the police, twenty-four in number, had formed up with fixed bayonets on the rioters' left flank, who would thus have been raked by their fire, but Von Schlickmann's Germans occupied a mound in their rear, so that any firing must have caused great loss of life, as the street was by that time crowded by non-combatants. When a parley was asked for it was clear that there would be no fighting; but an attempt was made to bring it about, for Von Schlickmann, mixing with the crowd, and getting near to Mr. D'Arcy, fired his revolver in the air close to his head.

While all this was going on in the Court House and at the gaol, the Legislative Council had met at its usual hour, but for the first time none of the official members were present. While waiting for them, men were seen hurrying across the market square with guns, and shortly afterwards about thirty men were drawn up opposite the Council Chamber by an ex-sergeant of the 86th Regiment, who had been Mr. Southey's messenger, and ordered to load with ball cartridge. Mr. Southey and the members of the Executive Council had stepped outside to see what was going on, and when the order to load was given they expected to be fired

on, but "By the right, quick march" was the word of command, and the men moved off in the direction of the Court House. In a few minutes Mr. D'Arcy arrived, saying that Tucker and Ling desired a conference with the Lieutenant-Governor; but to this the members of the Executive Council so strongly objected, on the ground that he might thus be involved in a personal wrangle, with the possibility of insult or even violence, that Mr. Southey allowed the Secretary to Government and the Acting Attorney-General to go to the adjoining office of the former to meet Messrs. Tucker and Ling, who Aylward had at the last moment forced into the post of honour and danger, while he, after hoisting the black flag, mounted and rode as fast as he could into the country, where he remained in hiding till it was safe for him to come in and surrender.

Questioned as to their intentions in opposing in arms the officers of the law, Tucker at once shifted his ground, and said they wanted Cowie released on bail, pending the revision of his sentence by the Recorder. This was on the face of it absurd, for the sentence had in any case to be so reviewed, and if the Recorder did not endorse the magistrate's judgment, the sentence could not be carried out. Moreover, there had been no question of bail when the magistrate gave his judgment. What the Associationists then meant was that they would neither let Cowie pay a fine nor go to prison. Mr. Grey, the magistrate who had tried the case, being sent for, refused to hear an application for bail. His temporary duty had indeed terminated—Kimberley not being his district—when the Court rose at its conclusion. Mr. D'Arcy, who had thus resumed his position, expressed his willingness to accept bail, provided the money was lodged. Mr. Tucker thereupon gave his cheque for £50, not to be presented for payment pending the revision of the sentence; Cowie was released, and the crowd dispersed. What had been a serious danger was thus averted, and Sir Henry Barkly and Lord Carnarvon praised the

courage, firmness, and tact shown by the higher officials and Justices of the Peace. So far all was well; bloodshed had been avoided and peace preserved, but the Association had gained nothing, and was proportionately discontented. Ling would not hear of disarming, Tucker wished to dictate terms, and Mr. Southey reported on the 17th that he feared a violent outbreak before troops could arrive. In the mean time he enrolled 200 volunteers, besides some old soldiers, as special constables, and was fortifying the gaol and the public offices.

Sir Henry Barkly replied on the 24th that he feared troops would have to be sent; but on the 23rd he had written to Lord Carnarvon that he hoped not to have to resort to military intervention, and on the same day he wrote to General Cunynghame, commanding the forces, that he would defer positive instructions for the dispatch of the column which, after some correspondence, was ready to start. He had once written to Lord Carnarvon that he thought of going up in person, taking one hundred men of the 24th Regiment in light waggons, and a score of armed Mounted Police as an escort. Had he done so, had he even gone without the soldiers and the escort, and called the people together, and told them that while all grievances admitted of redress either by executive or legislative action, any attempt to take the law or the executive power into their own hands would be sternly put down, he would have rallied the respectable part of the community; then the leaders of the violent party, abandoned by the bulk of their followers, would have had to retire; but this opportunity, like others that had preceded it, was allowed to slip.

To understand how a man of Sir Henry Barkly's knowledge and experience could have shown such weakness it is necessary to remember that, as has been said, Lord Carnarvon's scheme of federation was then paramount in Downing Street. The project was indeed at that time before the Cape Parliament, where it was meeting with

little favour, and the two Republics had declared that the mere existence of the Province of Griqualand was a bar to their entertaining the question. There was thus the gravest objection to bringing it into such prominent notice as would be caused by the Queen's troops appearing there. Things must be kept quiet for a time at least, at any risk, and Lord Carnarvon, apart from what he may have said in private letters, declined to give any instructions or express any opinion on what was occurring at Kimberley, while he professed to have serious anxiety about the financial condition of the Province, whose revenue and expenditure were less than those of many private persons in England.

In addition to the cue thus given him, Sir Henry Barkly's caution and dislike to personal responsibility placed him in a new difficulty. He could not move any Colonial force without the consent of his Ministers, for which he does not appear to have taken the responsibility of asking, and so, as things grew worse, he had at last to place himself in the hands of the General Commanding the Queen's forces, who was willing to do what was necessary, but would only do it in his own way by going in person with a column of Horse, Foot, and Artillery, at an estimated cost of £28,500. This had to be avoided, or postponed as long as possible, and, catching at straws, Sir Henry, writing on the 23rd April, urged Mr. Southey to be conciliatory, expressed a pious horror at the misguided men being called rebels, and, forgetting his suggestion to arrest Aylward, questioned the trial of Cowie, of which it would be thought in London that Mr. Southey had provoked a collision for which he was unprepared. He also received a deputation from Kimberley at Cape Town, but all to no purpose. The armed bands continued to parade the streets and suburbs, farmers would not come to market, business was paralyzed, merchants and traders were blackmailed to support the Association, and servants were frightened away. The Executive and Legislative Councils, the Justices of the Peace, the bankers and

merchants all declared that the presence of an adequate force was absolutely necessary, and on the 8th May a column of 250 of the 1st Battalion 24th Regiment, under Colonel Glyn; one officer and twenty-five men Royal Artillery, with two Armstrong guns; forty Mounted Infantry, and one Medical Officer, set out on the long march of 600 miles from Wellington, where the railway to Kimberley then ended, the General, with his Military Secretary and Aide-de-Camp, overtaking them on the way.

Even then it was hoped that the troops might not proceed beyond Hope Town, on the banks of the Orange River, and Sir Henry Barkly impressed the desirability of this on Mr. Southey by writing to him, "I give you warning that if the troops come I come." Mr. Southey thoroughly understood this, for in the presence of the Governor-in-Chief his functions as Lieutenant-Governor would be in abeyance, with little prospect of his resuming them; but the veiled threat had no terrors for him. He would do his duty in the face of misrepresentation and obloquy, and even personal danger; but he had no wish, and did not intend, to continue to occupy a post in which, without fair support, it was impossible to serve his Sovereign with credit to himself or advantage to the Province over which he had been placed.

To continue the narrative, Mr. Southey replied with some vigour to Sir Henry Barkly's strictures on the 29th April, and quoting his words in reference to Cowie's case he said that if he was not to "endeavour to enforce the law without a sufficient force to support the officers of Justice," it rested with His Excellency to provide such a force, and that, for the want of it, the law, both civil and criminal, was in abeyance, to the discredit and demoralization not only of the Government, but of the whole community. This was undoubtedly the case, for the Recorder had officially reported that the writs and judgments of the High Court could not be enforced.

There was thus no alternative left, and the column of troops had indeed already started, but both Sir Henry Barkly and the Association still entertained hopes that it would never reach Kimberley. The former, writing to the General on the 27th May, trusted that the force would not have to cross the Orange River; the latter, steadily increasing their numbers, said on the 12th June that they would meet the Commander of the Forces, and ask for an amnesty, but that they would go with nearly 800 armed men. This was mere bombast. They never intended to do anything of the sort, but they hoped that such bravado would make Mr. Southey yield.

These hopes were disappointed. The column crossed the Orange River, and when it reached the Modder River, twenty-five miles from Kimberley, there was more brave talk of marching out to dispute the passage; but it was only talk, for on the 26th June the force crossed without opposition, and on the 30th it entered Kimberley, and formed up in the Market Square amidst demonstrations of joy on the part of the inhabitants, after the period of anxiety and trouble, which might so easily have been avoided, had lasted six months. Next morning a Proclamation was issued by Mr. Southey, extending an amnesty to all illegal bodies, with the exception of six leaders, on condition of the dissolution of the Association and the surrender of all illegally acquired arms and ammunition,—terms which were readily accepted. Five of the leaders were arrested, and admitted to bail, but Aylward, the fire-eater, sent a notice of his death to the newspaper, and hid himself in a remote part of the Province, only emerging to go, with the other five, through a form of trial which involved no unpleasant consequences to purse or person. He re-appeared in 1881 as the legal adviser of the Boer Forces at the Peace negotiations after Majuba, and is said to have died in America.

With the arrival of the troops, the disbanding of the Association and surrender of arms, all became quiet in

Griqualand. Affairs resumed their normal course, but a serious blow had been dealt to the Federation Policy, and if no blood had been shed, money had been spent, so some one had to suffer, and if the promoters of the trouble were to go scot free, the only person left was the Lieutenant-Governor. Sir Henry Barkly arrived on the 3rd August, and assumed office, superseding Mr. Southey, and on the 4th Lord Carnarvon said in a Despatch that after what had occurred it was almost impossible for him to hold a neutral position, that the financial position of the Province required the substitution of a less highly paid officer; and that, apart from that, it was desirable for him to make way for another.

Mr. Southey received this intelligence with the calmness which distinguished him. He offered no objection, and made no complaint. He reviewed what had been accomplished during his short tenure of office, and feeling, like Sir Henry Lawrence, that he had tried to do his duty, he not unwillingly laid down the position for which, he reminded Sir Henry Barkly, he had never asked.

## CHAPTER XII.

Mr. Southey Member for Grahamstown—Sir Bartle Frere's Rule, Session of 1877—Ministry formation, Session of 1878—Lord Carnarvon's blunders—Mr. Southey receives a knighthood—Closing years and family history.

IN September, 1876, the death of Mr. Clough, one of the Members for Grahamstown in the House of Assembly, caused a vacancy which Mr. Southey determined to contest. His opponent was Mr. Advocate Stockenström, who declared in his manifesto that he would strive to remove the obstacles to South African federation. He was opposed to separation pure and simple. Local wants and the Kowie would of course be attended to.

Mr. Southey, in a letter addressed to the Hon. Mr. Cawood, says—

“I have always advocated the construction of Railways, Harbour Works, and Roads in particular. A railroad from Port Elizabeth to the Orange River, passing through Grahamstown, was my ambition. The only thing to be done now will be to have a line from it to Grahamstown, and thence to Port Alfred. The Native question, however, is the most important, for unless the population can feel that there is safety and security, it is impossible that there can be prosperity. What man living within the reach of Kafirs can be expected to spend money in the improvement of his stock if there is a possibility of his stock being swept away by an enemy? Ever since the days of Sir B. D'Urban I have considered the best Native policy to be that which was subsequently greatly extended by Sir George Grey, *i.e.* the abrogation of Native laws and customs, the abolition of the power of the Native chiefs, the gradual introduction of civilized laws and habits, and to encourage the Natives to acquire fixed property.”



Mr. Wood, junior, declared that Mr. Southey had told him "that did his friends in Grahamstown only know of the measures intended for the injury of Grahamstown that he had been able to avert they would thank him."

Subsequently, Mr. Southey issued addresses in which he laid great stress on the defence of the Colony, and extension of British supremacy, including civilized jurisdiction over Native tribes. He also advocated the construction of a line of railway from Grahamstown to the Kowie, as well as the appointment of a third Judge to the Eastern Districts Court and an extension of its jurisdiction. At last the eventful polling-day came in the City of the Settlers, and the result was, in the words of *The Cape Argus*, "that old Grahamstown beat young Grahamstown," and Mr. Southey stood at the top of the poll, and was duly returned as one of the members for the House of Assembly. Mr. Stockenstrom was a foeman worthy of the steel of the old statesman who had so long borne high office, and the fight was very fierce. So close was the contest that at four o'clock in the afternoon the successful candidate was only forty-seven ahead of his opponent. The total number of the electors registered in the constituency was 1614, and at the close of the proceedings only 911 had voted.

The election really bore no political significance, as it was difficult to distinguish between the expressed views of the candidates. It was felt, however, that Mr. Southey was a special gain to Parliament because of his lengthened knowledge and experience. The following extracts of a letter from Mr. Godlonton are interesting:—

"Grahamstown, 23rd September, 1876.

"MY DEAR SOUTHEY,—It is quite possible you will expect to hear from me now your name is before a Grahamstown public. You may be surprised also, after our many years of intercourse, that I do not place myself in the forefront of the political move for your election as a representative of the Settlers' City. A few words of explanation seem to be necessary, as I should

regret extremely were you to misunderstand me. I may here state that nothing would afford me more pleasure, were you unencumbered, than to see you in Parliament; but, looking at all the circumstances by which you are surrounded at the present moment, I am in doubt as to the good policy of your entering upon a *contested* election at the present moment.

“A great effort is making on behalf of Advocate Stockenstrom, and it would be folly not to take into account the probability of a defeat. This must in no wise be lost sight of. I may here state that I have been interviewed by both parties, and have positively declined to take an active part with either. I need not say that should you persist in going to the poll I shall be ashamed of myself not to give you my hearty vote. You will readily believe that the name of Stockenstrom is not particularly musical to me; but still I am bound in justice to say of the Advocate, that as an inhabitant of Grahamstown his deportment has been such as to secure the public respect, and to gather about him a goodly number of warm and active friends.

“Of course, you will be championed by the Dean, and this alone will act as a motive for many to place themselves in an attitude of determined opposition. The Bishop’s friends are numerous and influential, and they distrust the Dean, and will hardly follow him. I should have rejoiced to see you walk over the course; but I am very dubious of the good policy of your being drawn into a contested election. From my standpoint this is the conclusion I have arrived at, and which has moved me up to the present moment to take a neutral position; independent of which I am constrained by the weight of years to stand aside, as far as possible, from party conflict.

“It was very well known here that Cawood had written to you, and as it is also well understood that he is a mere cat’s-paw of the Dean, through his son-in-law Nelson, the opposite party were roused up to action at once, the outcome being the numerously signed requisition to Stockenstrom which appeared in yesterday’s *Journal*.

“I need not say that I write all this in confidence, and shall be glad to have an expression of your own views, equally confidential, for my own satisfaction. My impression is that you have been badly treated by the Government, but the question

now is whether your introduction into Parliament would better your position, and whether an unsuccessful endeavour to get in may not be very prejudicial. I confess I cannot see my way clearly on this point, and need only add that whatever course you may decide on taking you will have my sincere sympathy. My regard for you is not of yesterday, and will certainly not be lessened by any course you may take in the matter in question.

“With kindest remembrances to Mrs. Southey,

“ I remain,

“ Yours very truly,

“ R. GODLONTON.”

A brief *resumé* of events during the time of Sir Bartle Frere, who took over the duties of Governor of the Cape Colony on the 31st March, 1877, may be useful. His mandate from Lord Carnarvon was to carry out a scheme of South African confederation, and the suavity of his manners and proved ability caused him to be selected for this exceedingly difficult task. Indeed, any one who knew the country thoroughly would have seen that it was impossible to carry out this scheme, as the majority of the electors of a country ruled under Responsible Government were opposed to it. Mr. Froude's mission in favour of federation, although successful in a few of the larger Eastern constituencies, was rather calculated to damage the Colonial Secretary's proposal by naturally irritating the Ministry and giving them occasion to complain of undue interference.

On the 12th April, 1877, Sir Theophilus Shepstone annexed the South African Republic, and this was done entirely without the interference or consent of Sir Bartle Frere. Hardly had the astonishing intelligence been conveyed to him than he had to confront the ninth Kafir war with the Xosa tribe, which commenced by a trivial quarrel between a few Xosas and Fingoes at a wedding feast in Trans-Keian territory. In August, 1877, the Colonial Volunteers were called out, and sent with a regiment of the line against Kreli, who lost about seven hundred men

and then fled into Pondoland. Then the Volunteers sought their homes, only to be called out again when Sandilli and other Chiefs rose in arms. Large forces had to be called out, and the war lasted many months, until Kreli was thoroughly beaten and Sandilli killed. In the midst of hostilities the Governor proceeded to the frontier and took such exception to the interference of one of the ministers (Mr. Merriman) with military operations as to dismiss the Molteno Ministry and call upon Mr. Gordon Sprigg to form a Cabinet. This was done on the 6th February, 1878, with the eventual approval of Parliament, where extremely fierce discussions took place. One result of this Kafir war was the considerable extension of the Cape Colony by the inclusion of extensive territories between the Kei River and the Natal border.

A much more serious Native conflict commenced in January, 1879, when, in consequence of demands for redress and for the disbandment of the Zulu army being disregarded, war was declared against Cetywayo. Every one knows of the dreadful calamity at Isandlwana mountain, when our central column was surprised and slaughtered by the Zulus in an unprotected camp. But, fortunately, the garrison at Rorke's Drift, on the Tugela, successfully repulsed a Zulu army, and Natal, as well as British prestige, was saved. Eventually the savage foe was so completely defeated that Cetywayo became a fugitive, and subsequently died of grief. But the British tax-payer had become impatient of taxation expended in fighting for a comparatively worthless country. The British public required a scapegoat, and Sir Bartle Frere was sacrificed. One of his last acts was to induce Sir Gordon Sprigg to propose in vain a resolution in favour of Confederation, and, being recalled, he returned to England in September, 1880, there to die of a broken heart. Subsequently there was a revulsion of opinion in England, and a monument was erected in London in honour of this great Viceroy.

“Can storied urn or animated bust  
Back to its mansion call the fleeting breath?  
Can honour’s voice provoke the silent dust,  
Or flattery soothe the dull cold ear of death?”

The Session of 1877 was opened by Sir Bartle Frere, who was sent out with the object of arranging a union or confederation of the Colonies and States of South Africa. On Monday, 28th May, Mr. Southey took his seat in the Assembly as a private member introduced by Mr. Probart (Graaffreinet) and Mr. Human (Piquetberg). At this sitting Mr. Southey seconded a motion of Mr. John Paterson calling upon the Government for detailed accounts connected with railways. On the 7th June, when the Griqualand West Annexation Bill second reading was moved, Mr. Southey spoke about the wishes of the inhabitants of that Province not having been consulted, and information not having been supplied with reference to the financial position of the country, the present state of the land question, population, and other matters of importance. It would be, no doubt, beneficial for Griqualand West to be in closer union with this Colony, but before such a serious step as annexation was taken we ought to be furnished with ample information. Under these circumstances he thought that the Bill should be referred to a select Committee, and he moved accordingly. This amendment was, however, withdrawn on condition that the Bill should be afterwards referred to a Committee, and the second reading was carried without a division. On the 9th June Mr. Southey obtained such a Committee, although by a rider to his motion its scope of inquiry was narrowed by being more clearly defined.

Mr. Southey, of course, joined the Opposition to the Molteno Ministry, and might have been described as a Colonial Conservative. In the Budget Debate on 20th June, 1877, he feared that the Government had over-estimated their assets and under-estimated their expenditure. Many

members held that no sufficient provision had been made for the defence of the country, and after analyzing the statements of the Colonial Secretary (Mr. Molteno) in considerable detail, Mr. Southey supported an amendment in favour of postponing the consideration of the Estimates for a week—that is, until they could consider the subject of Defence. Although in a minority, the Opposition succeeded in lashing the Premier into fury. He cried out in reply to Mr. Paterson—

“Really, Mr. Speaker, this is more than we can bear. The Government is charged with mismanaging the affairs of the country and being incompetent to hold their present position, and I do earnestly entreat the House to judge between us.”

This gave Mr. Southey an opportunity of which he took advantage.

“He remembered how the Colonial Secretary (Mr. Molteno) when he (Mr. Southey) was at the head of the House used to make requests of the Government of the day, and the way in which these requests were made; the request for a week’s postponement of the Estimates was mild indeed in comparison. (Hear, hear.) The Colonial Secretary, who sat opposite to him, was at that moment looking at him so steadily that the speaker felt almost abashed. He thought the Colonial Secretary was much too apt to rise on the question of want of confidence. He thought that full freedom should be given to all members of the House to express their opinions without the Premier saying, ‘Oh, if you are going to vote this way you are going to raise the question of a vote of want of confidence.’ Then some members were ready to rise and say, ‘For God’s sake don’t allow it to come to that.’”

He contrasted his own former position, when he had to bear very strong language with fortitude and patience, and concluded by begging the Ministry not to be so thin-skinned as to wince under the slightest criticism.

On the 25th July, 1877, Mr. Southey brought forward a very sound resolution requiring that the surplus revenues of

Basutoland should not be merged in the revenue of the Cape Colony, and pointing out that if the policy of the Government towards the Basutos were continued it would have a most injurious effect. An amendment of Mr. Maasdorp requiring all money raised in Basutoland to be spent in Basutoland was carried by a majority of four, the Ministry voting in its favour. During the session Mr. Southey heartily co-operated with Mr. Sprigg in opposing the Molteno Ministry, with Mr. John Paterson as a very strong, slashing, and indeed somewhat compromising auxiliary. Early in 1878 Sir Bartle Frere threw off the velvet glove, and with an iron hand put aside the Molteno Ministry. The following letters are very significant :—

*“ Private.*

“ King William’s Town, 6th February, 1878.

“ DEAR MR. SOUTHEY,—I hope you have not misunderstood my reasons for not pressing you to continue our telegraphic conversation, after your telegram to me on Monday.

“ I found the position here so impossible after Mr. Molteno gave himself over to Mr. Merriman as irresponsible Military Dictator that I apprehended the most serious consequences unless an immediate stop could be put to the deadlock.

“ I therefore consulted Mr. Sprigg, who was on the spot, and who, as leader of the Opposition and in other respects seemed best able to advise me in the crisis.

“ I found that whilst very sensible of your high claims to office and of the support you had given last Session to what he considered sound policy, your position and the offices you have already filled made it difficult to suggest your acceptance of any but the highest position in the Ministry.

“ We moreover thought we might find it necessary to obtain your assistance on a Commission which it will, I think, be imperative to assemble when the war is ended, to inquire into many questions of great importance in Kafirland, and to report on many points preliminary to a resettlement of the country.

“ We are getting on slowly, but I hope surely. Cabinets, as you know, are not made in a day, and do not remain unalterable.

I shall therefore still be very glad to know confidentially your views on the questions I put to you in my Sunday's telegram.

“ Believe me, dear Mr. Southey,

“ Very truly yours,

“ H. B. FRERE.

“ Hon. R. Southey.”

“ Wynberg, 12th February, 1878.

“ MY DEAR SIR BARTLE,—I have to thank your Excellency for your letter of the 6th inst., which reached me yesterday. With the further information acquired since I was in telegraphic communication with you I can well understand how impossible it was to carry on the Government at all satisfactorily until a change of Ministry had been accomplished.

“ Although not desirous of taking office at the present time, I should not have hesitated to place my services at your disposal, if that had been desired, and I need only now add that if I can be of use hereafter in aiding to put affairs on such a footing as to give security to the people of this Colony, and also to the Natives beyond it against occurrences such as all are now suffering from, I shall willingly place myself at your disposal.

“ With reference to our telegraphic communications I may now say that during last Session I worked with the Opposition without feeling that there was any leader for general purposes; we were united particularly for one object, and that one was an endeavour to force the Government to see the great and daily increasing danger to be apprehended from our unpreparedness to meet native troubles, and the importance of diminishing the danger by letting it be felt by all classes that we were ready to act with promptitude in the event of a disturbance of the peace. Outside this question, or matters more or less bearing upon it, I did not consider myself to be bound to any party.

“ ‘ Party ’ Government has not yet taken deep root in this Colony, and any one forming a Ministry will be compelled, I apprehend, to do as Mr. Molteno did, viz. to endeavour to strengthen his position by calling to his aid men holding opinions very different to his own. I do not consider such a practice desirable, but in Mr. Molteno's case it was, I suppose, unavoidable, and may continue to be so for some time to prevent frequent changes of whole Cabinets.



“I sincerely hope that with the Government now formed you will be able to bring about a satisfactory close of the war, future safety, rather than speed, being regarded as the most important.

“Believe me to be,  
“Very faithfully yours,  
“R. SOUTHEY.”

The Session of 1878 was opened by Sir Bartle Frere, who had dismissed the Molteno Ministry, and caused the formation of a Cabinet under Mr. Sprigg. A Kafir war was raging on the frontier, and establishment of an efficient defence force, as well as a settlement of the Native question upon a statesmanlike basis, became with confederation the chief questions of the day. It seemed desirable to abolish what remained of the tribal system within the Colony, and to refuse any recognition of the power of Native Chiefs. This really meant the adoption of Mr. Southey's policy, whose views with regard to Native questions are contained in Memoranda published in the Appendix.\*

In the great debate which took place in the House of Assembly on the subject of the Ministerial dismissal, Mr. Southey declared that they would not establish a safe constitutional principle, if Mr. Merriman's resolutions condemning Sir Bartle Frere were agreed to, but that it was possible to amend them. Mr. Sprigg objected to this, and said that they should decide the real question—a vote of want of confidence—so as to be able to go on with the business of the country. Eventually Mr. Southey voted for Mr. Maasdorp's amendment, carried by thirty-seven to twenty-two, which declared that under all the circumstances the removal from office of the late Ministry was unavoidable.

On the 6th July, 1878, Mr. Southey moved for copies of correspondence between Sir Henry Barkly and himself with regard to the Griqualand West land matters, and took

\* See Appendix.

the opportunity of going fully into the question of Griqua transactions under Cornelius Kok and Andries Waterboer. On a previous occasion he had emphatically declared that—

“he could not undertake to say why the Griquas had rebelled, but he thought if he had been treated as the Griquas of Griqualand West had been treated, although he was a loyal man and had a high respect for the British Government, he would himself have rebelled.”

Mr. Stockenstrom said—

“that if it was the object of the honourable member for Grahamstown to do justice to those unfortunate Natives who had been made outcasts in consequence of the machinations of Landjobbers, he entirely concurred with him. Out of 220 claims the vast majority were ostensibly for Griquas, but in reality for Landjobbers, who stood behind their backs, prominent among whom, he regretted to say, was Mr. Arnot.”

Mr. Stockenstrom had been the judge of the Land Court, and the following extracts from a private letter are interesting. We are told—

“Halkett has retired from Waterboer’s case on account of words used by the Judge. He will still appear for the private claimants, Arnot, etc., but won’t go any more into what is called the general question—that is, going over the Keate award again. The origin of the row was, some of Waterboer’s councillors had been tampered with, and swore that they did not sign the cessions to Arnot, and knew nothing about them. Some witnesses also spoke of a land register which Waterboer and Arnot said never existed. The Judge lost his temper altogether, and threatened to send the sheriff with a search-warrant to look for it. This Shippard objected to as a strong measure, a little later on proposing to call Waterboer into the box. He, the Judge, said, ‘How can I depend on a man who is a drunkard, half an imbecile, and a puppet in the hands of others?’ Coryndon took the words down and reported them to the Chief and Halkett. Next morning Stockenstrom seemed to be aware of the blunder he had made, and commenced in a rather

humble manner to explain to Halkett how the thing came about, and then Halkett got up and withdrew his case: see report in paper I send. Stockenstrom was sat upon entirely. The truth of the matter is that Halkett was glad of the opportunity of giving the Judge a snubbing, and it suited him to retire at the time he did, as he had led all the important evidence. We are rather chuckling over the thing. Arnot, in his great self-confidence, has camped Waterboer's train on the cricket-ground, where that scoundrel Greef, living with Buyskes, has constant opportunity of tampering with them and keeping them in liquor. Andries Van Rooi was in the witness-box and examined about his four farms over Vaal River. This was Buyskes' great card, and he swaggered over and bullied the old man, but got nothing out of him except that the farms were given him for his services as commandant, that when he got them he might sell them and pay his debt to Mr. Southey, but he must first have a specified account. In answer to the question put to him by Mr. Shippard, at Colonel Crossman's suggestion, 'Were the farms for you?' he gave a decisive 'No,' and went on as I have began. Buyskes commenced bullying, on cross-examination, demanding the letters written by Arnot to him. He brought three documents, one a cession of the farms to Arnot three years ago, and two unimportant letters. 'But there is another letter of such a date; where is it?' The old man had shown it to Greef, who was at Buyskes' elbow. When the Judge ordered him, Greef, to take Van Rooi up in a cab and bring down the letter he had seen, Colonel Crossman was in Court, and everybody waited anxiously, thinking, 'Now the murder is out,' Arnot sitting quietly by, not moving a muscle. When the letter came, Buyskes jumped up to read it in his most blustering manner. It turned out to be a long and very good letter on every subject but the one in question; the only reference to that was a line, saying that his debt to Mr. Southey had been long settled; after this, Buyskes sat down, and the matter ended. My opinion on the evidence is that Arnot seems to have got the cession of the four farms, and can apply them to his own use, Van Rooi having produced receipts for the amount of the Promissory Notes to you to within £10 or £15. Halkett behaved very well about it, jumping up furious when he thought Shippard was lukewarm in your defence. He had all your accounts in

his hand, but of course did not produce them. Very likely there will be something about it when the four farms come before the Court in the Schedule.

“Giddy has been *sat* upon by Colonel Crossman. D’Arcy was anxious to get an expression from Colonel Crossman about the accounts he was responsible for, and laid a formal complaint of Giddy’s conduct before him—result was a meeting in Colonel Crossman’s house. Present: Colonel Crossman, Lanyon, Giddy, D’Arcy, T. R. Merriman, as a witness, and, I think, one or two more. D’Arcy was entirely exonerated from blame. ‘But,’ says Colonel Crossman, ‘how is it, Mr. Giddy, that you who were the cause of me being sent out should have your own accounts in such disorder?’ And then he used some more hard words, which made Giddy appeal to Lanyon if he deserved them. ‘Oh, I am in the gallery, Mr. Giddy; I am merely a spectator.’ Tom will write you all about it, at least he promises, but in case he does not, I give you the best account I can. Dick may write. Colonel Crossman kept Giddy and D’Arcy back when the others left, and asked Giddy how about that case of Mr. Bean? ‘Oh! ah! yes! there was such a case.’ ‘Yes, Mr. D’Arcy tells me that you supplied Mr. Bean with data from confidential documents so that he could bring an action for libel against him. Well, that is not the code of honour we have in the Army.’ Giddy was further sat upon, and D’Arcy patted on the back. Giddy has sold his house to Gordon, to be delivered in three months.”

While the Cape Parliament was thus minding its own business, without any reference to Confederation, Lord Carnarvon had at last been forced to admit that his scheme was, for the time at least, impracticable, and he was contemplating resignation; but though he was no longer a factor in South African politics, Mr. Southey’s motion naturally drew attention once more to what had passed at Kimberley, and some of the letters from Sir Henry Barkly certainly show that the Secretary of State did not approach his great scheme with sufficient knowledge of the country and people. Let us revert to events of 1874. The extraordinary ignorance of Downing Street was one of the principal

disadvantages connected with British rule in Southern Africa. To assume a virtue, though they had it not, was apparently considered necessary. The Secretary of State, like the editor of a newspaper, was forced to pretend that he knew everything, and it sometimes occurred that the cleverer the official was the greater were his blunders. This was so in the case of Lord Carnarvon, as the following letter indicates. His federation theories were premature, and he preferred to trust his own sentimental ideas to taking the advice of such men as Mr. Southey.

*“ Sir H. Barkly, 20th May, 1874.*

“ I am sorry, when all seems going so well, to have to inform you of a sad disappointment in the shape of a very unsatisfactory Despatch from Lord Carnarvon on the Batlapin affair, which he has completely misapprehended, as you will see from the copy which I forward confidentially. Though he formally approves all I have done, I don't know that I ever received a more disheartening communication, its tendency being to unsettle all that has been done about the Diamond Fields, etc., for the last four years. In fact, the effect of its publication would not only be to put an end to all chance of arbitration with the Free State, but to shake confidence in property in Griqualand West, as it not indistinctly alludes to the eventual possibility of throwing up the Province if the Cape will not annex it! All this, no doubt, comes from a very imperfect acquaintance with the history of the past and a very exaggerated view of the difficulties of the present, the latter derived probably from the Jeremiads in the newspapers (not the Cape only, but your own) as to the falling in of the Kopje, the state of the finances, etc.”

In the early part of 1878 a serious insurrection of the Natives occurred in Griqualand West, and the following important letter explains the causes of that unfortunate business :—

*“ In Laager, Griquatown, 17th June, 1878.*

‘ MY DEAR MR. SOUTHEY,—I have received your letter of the 1st inst., and gladly comply with your request for some information

on matters connected with this country in which you must feel deeply interested. First, as to the *causes* of the present condition of affairs. Many theories are held, but I do not think that any *one* of them is in itself sufficient, and I have little doubt that it is due to a most unfortunate but fortuitous occurrence of things, each of which has irritated the Natives, and which in combination have driven them into rebellion. To mention some of these, I may say that Lanyon and others hold it to be a war of races pure and simple, stirred up by agitators from Kafirland and Eastern Griqualand. Roper and others, again, consider it to be caused by Warren's action in settling—or not settling—the land question. A third theory is that it is brought about by the influx of Boers from the Colony direct into the very stronghold of the Natives along the Orange River, and the activity of the Surveyors in planting beacons, and those who favour this theory think that the Boers are really the object of the Natives' fear and hatred. A fourth notion is that the shopkeepers, by fleecing the Natives, have brought about the present troubles, and the attacks on Jackal's Vley and Daniels Kuil are pointed to as proof of the correctness of the theory.

“I am myself disposed to think that each and all of these causes have contributed to bring about the rebellion, but that we must go further back if we want to find the beginning of things, which I believe dates from the sitting of the Land Court in 1876.

“It was, in my opinion—and I believe in yours also—both unjust and unreasonable to expect every individual Native to appear before that Court with his witnesses. What steps were taken to make them understand that they had to do so I don't know; but even if the necessity for doing so was explained to them it was utterly out of the power of most to comply with such a demand, and, as might have been foreseen, they did not appear. Perhaps they trusted to Waterboer to plead for all of them, but Waterboer had more than he could manage in connection with his own claims, and you will remember that after the Judge had addressed some violent and opprobrious language to him from the Bench his counsel threw up their briefs. It is easy to imagine that Waterboer left the Court burning with indignation. On the 18th May Stockenstrom gave judgment in his and

other Native cases. To Waterboer he assigned *three* farms, and the claims of 116 natives were summarily disallowed, the claimants not having appeared or tendered evidence (Schedule 36). This, I think, sufficiently accounts for Native disaffection. Waterboer took to deep drinking, and it is not unreasonable to suppose that his disappointed followers urged him on in a wrong course. Roper, a man of the highest sense of duty, but unacquainted with Native affairs, was appointed the first Resident Magistrate here, and on Waterboer interfering with his authority in some matter he arrested him and lodged him in gaol. This insult was not likely to mend matters, and it appears that in September or October last Waterboer was distributing arms and powder by night to some of his people, Kafirs as well as Griquas, and amongst others to Piet Jonas, a Kafir, who led the attack on Jackal's Vley.

“Just at this time Warren called on all Natives whose cases had not been heard by the Land Court to lodge their claims with Roper, with such evidence as they could bring in support of them, and more than 100 cases were so heard, the Natives coming at great trouble and expense from the furthest limits of the Province. In December these people were told that their claims could not be entertained, and this, in Roper's opinion, brought about the rebellion. Meetings were held at the River, at Daniels Kuil, Blink Klip, and Witteberg, and in February a large meeting was held at Driefontein—close to Griquatown—at which, ostensibly, it was resolved to send a deputation to the Queen, but at which very different decisions were secretly come to.

“While these land matters were thus irritating the Griquas and Kaffirs, other influences were at work to widen the area of disaffection and to increase its intensity. In December, 1877, Lanyon made his expedition to Pokwane to bring Gasibone to account. Now this was really a hostile invasion of foreign territory, and the taking of 500 cattle, not the personal property of Gasibone but of his people, whom we profess to regard as the subjects of Mankoroane, was in Kafir eyes an act of war which not only permitted but demanded reprisals.

“The whole country from the Orange River to the extreme Northern boundary was thus in readiness to break out, and a spark to fire the train was all that was wanted.

“Just at this time Piet Jones, a Kafir, to whom I have

already referred, got into trouble. He actually had a house built, and thinking, or being persuaded, that the contractor had cheated him, he refused to pay his bill. Of course, he was sued in Roper's Court, where judgment was given against him. Against this judgment he was persuaded to appeal, and Roper's judgment was sustained by the High Court. A bill of £80 costs was then presented to him, and to pay this he pledged his waggon, on which a shopkeeper lent him £80, taking his bill at three months for £110, so that the charge for the 'accommodation' was just 150 per cent. When the bill was due, Jonas could not meet it, and he went to another shopkeeper, Van Druten, who lent him £110, taking over the waggon, and making him sign another bill at one month for £130, so that for this second accommodation he had to pay over 200 per cent. !

"Before the troubles of Piet Jonas reached their climax—I shall come back to him—Roper received information that a man named Walton (since killed), a farmer and shopkeeper on the river, had driven Kafirs off his land with violence, burning their huts and destroying their gardens and property. He sent his police down to make inquiry and arrest Walton, but they could find no evidence on which to proceed, the Kafirs having disappeared.

"On the 10th April news came that a Boer named De Klerck living near the river had been attacked, his son wounded, and some of his stock driven off. This was the first overt act; and if, as is supposed, a general rising was premeditated, we can see the policy of beginning at the extreme southern boundary, so that, by the available force being drawn to that point, the rest of the country might be left unprotected.

"Operations were commenced against the Kafirs who had molested De Klerck, and transport being required, Van Druten hired to the Government the waggon of Piet Jonas which he held in pawn.

"Piet Jonas saw his waggon thus employed, and became furious. Angry demands for his property appear to have been met by exorbitant demands for further interest on the bill at one month, then overdue, and at last Piet Jonas said that, having tried fair means in vain, he would now come with one ox (himself) and take it by force. On the 9th of May Jackal's



Vley was sacked. Low was killed, and the natives—Griquas, Kafirs, Korannas, and Bushmen—took the field.

“This is, I believe, a true and correct account of the events which preceded the outbreak, and it is compiled partly from Official Records which Lanyon requested me to examine, and partly from information supplied by Government officers, with Lanyon’s sanction, and by private individuals.

\* \* \* \* \*

“There is not one word of truth in the alleged atrocities and refusal of quarter at Driefontein. Those who wished to run away did so, and those who, like Piet Jonas, determined to fight it out to the bitter end were killed or wounded in action. The wounded were attended to on the field, and then removed with care to the hospital here.

\* \* \* \* \*

“A matter which I have urged on Lanyon seems to be of such primary importance, and to be so loudly called for by every consideration of reason and policy, as well as of justice and mercy, that I am amazed at no such action having been taken a month ago. We all know that outbreaks of this kind are the work of a few misguided and violent men, and that they are blindly followed by the ignorant, the timid, and the weak. Is it—can it be—just or merciful or wise or politic to shut the gates against all alike, and to pursue the whole Native population with fire and sword? Even if no other considerations are admitted, the unwisdom of such a course is demonstrated by a glance at the map.

\* \* \* \* \*

“Finally, I think that, in sheer justice and honesty, the land question must be re-opened in some way. If these 100 or 200 men have a righteous claim, we must not evade it because they have not complied with legal formalities with which they were unacquainted, or because they were betrayed or neglected by their former chief.

“Ever yours sincerely,

“JOHN B. CURREY.’

Parliament was prorogued on the 2nd August, 1878, when Sir Bartle Frere, referring to Federation, declared that

“passing events teach us the need of union, and on the eve of an appeal to the country the Government desires to commend the great question of a United South Africa to the earnest attention of the constituencies of the country.” Mr. Southey in politics was eminently an apostle of common sense, and took no prominent part in any affair in which he could not see his way distinctly. Subjects *in nubibus* never claimed his affection nor attention. We therefore do not find him championing Lord Carnarvon and Mr. Froude’s premature theories.

In Parliament Mr. Southey was content always in his place to do his best for the interests of the Colony, never obtrusively speaking unless he thoroughly knew his subject and could say something *apropos* and instructive. He was more an administrator than an orator, and much more a practical man than a theorist. At his age, after filling great offices, he wisely considered, as Mr. Porter evidently did, that the time for retirement had come. His public political career ended with the Parliamentary Session of 1878.

Mr. Southey in retirement took the utmost interest in public affairs, but there is very little room left for references to his military services in the Cape Town Volunteer Artillery, or to subjects in which he was interested—such as those of Freemasonry and the establishment of “The Church of South Africa.”

Mr. Southey’s views on Zulu affairs were not at all in accord with those of Sir Bartle Frere. Writing so far back as 2nd April, 1874, Dr. Colenso says—

“It is refreshing to find that there is at least one statesman in South Africa who looks at the late proceedings from an English point of view, with all the advantage of long and intimate experience of Kafir affairs. I have supported the Shepstonian system hitherto on precisely the same grounds as yourself, not as a *permanent* system, but merely as a transitional one, because I had the most unbounded confidence in the firmness

and love of justice and fair play of Mr. Shepstone, who, I need hardly say, has been for twenty years the dearest friend I had in Natal. Alas! my idol has gone to the ground. The recent proceedings, up to the very moment when I write, have been one continued series of acts of the grossest injustice and foul play."

So far as federation was concerned, Mr. Southey's views were evidently those of his old chief and friend, Sir P. E. Wodehouse, who, writing on March 27th, 1879, says—

"Lord Carnarvon, you will see, still clings to federation, which will hardly be brought about in our days, and which, if it does come, will bring ruin to the Natives. It is really melancholy to look at the destruction of the good done in past years. Sir G. Grey's settlement of Adam Kok's people; my arrangement with the Basutos and the Fingoes; perfect quiet in British Kaffraria and Kafirland; our Frontier Police equal to all we wanted—and now everything upset. If the Basutos should go against us bodily it will be proof of the greatest mismanagement. As for Morosi, he never was anything but an unmitigated cattle-stealing marauder. He was more or less a thorn in old Moshesh's side, and I remember telling him at his own place that he might do as he pleased about coming over to us, but that if he gave trouble he should be smashed, which could easily have been done by the Basutos and the Police."

On the 3rd August, 1879, Sir J. C. Cowell, writing from Windsor Castle, says—

"Since Cetewayo's capture we have heard a good deal of speculation as to his future. . . . I wish I could say that South Africa is in favour of taking away his liberty for the security of loyal subjects. We should, in my opinion, have a large and well-trained force for many years on the frontiers of the Transvaal and Zululand, with strong posts all along the Natal border. I often think of the blunder made in Sir G. Clerk's day by driving the Boers into a Republican form of Government, and of a large device of welcome to Prince Alfred at Bloemfontein inscribed 'loyal though discarded.' It was a bitter satire on our policy, and I felt ashamed of the principle which rendered

the complaint so just. . . . We are hoping to be within speaking distance of you very soon by the telegraph cable, and this will effect more good in effecting a public understanding with Mother and Child than anything that we can imagine."

Mr. William Downes Griffith (formerly Attorney-General of the Cape Colony), writing from 8, Old Square, Lincoln's Inn, London, 24th July, 1880, says—

"When I offered an opinion on the policy of Sir Bartle Frere on the matter of the Zulu War, I did so with the greatest diffidence, and only on the supposition that it was morally certain that the Zulus were going to attack us as soon as they had made themselves ready to do so, and that he, Sir Bartle, had means of assurance on this point. If that was not sure I agree entirely with you that it was wrong and unjust to set on them, and I have too great a respect for your judgment to suppose that I here, without any but casual knowledge of what goes on in South Africa, could form anything like so sound an opinion on the facts out there as you, my old Chief, can do. I therefore, in this respect, submit entirely, and if you tell me Frere was wrong, I can only believe he was so. . . . I entirely agree with you about the disarmament of the Basutos. I think it is a scandalous thing to disarm against their will the men who have never used their arms but in your favour, and is a means by which you are very likely to induce them to use them against you, and serve you right if they do. . . . I see, my old boy, you have not gone back to Parliament. Old Mol, I see, has gone back for Victoria West. I thought he would find it dull being out. I must say I admired, and do admire, Saul a great deal more than I ever did Mol. Good-bye, dear old boy. I should like to have a chat with you again.

"Ever yours sincerely,

"WILLIAM DOWNES GRIFFITH."

Sir J. C. Cowell, 9th September, 1881, says—

"The Prince of Wales has desired me to convey to you the expression of his thanks for your great kindness in having taken so much interest in the construction and despatch of the Cape cart which he has received in safety from you."



Waters & Co. N.Y.

*Sir R. Poulthoy - aged 90*



Mr. Southey lived on in his happy and peaceful retirement near Wynberg, and at last came the far too tardy, but not quite too late, recognition of the services of one of the most loyal and honest statesmen who ever served the Queen in South Africa.

On the 29th May, 1891, Governor Sir Henry Loch writes as follows :—

“MY DEAR MR. SOUTHEY,—I have just received a telegram from the Secretary of State that Her Majesty has been graciously pleased to promote you to the honour of K.C.M.G. Your services to the country will make every one rejoice that you have received this recognition, although I wish that it had been bestowed many years ago—except for the pleasure it gives me to be the medium of conveying to you on this occasion the Queen’s pleasure.

“Yours very truly,

“HENRY B. LOCH.”

On Monday, 22nd July, 1901, Sir Richard Southey breathed his last. Dying at the unusually old age of ninety-three, he quite outlived the contemporaries of his long, useful, and honourable career. By all classes and conditions of men he was respected, and his picture in the Civil Service Club, Cape Town, conveys to a new generation the lineaments of a good old Conservative Civil servant, who faithfully and ably served his Queen and country.

The funeral, which took place at St. John’s Cemetery, Wynberg, on the 23rd July, 1902, was attended by many venerable colonists who, in common with their deceased comrade, had endured the toil and hardship of pioneering. Representatives from all classes were present, and the pallbearers were Sir Gordon Sprigg, Messrs. J. B. Currey, C. J. Manuel, Harry Horne, H. M. H. Orpen, Henry De Smidt, and Colonel Eustace.

The following *resumé* of domestic history supplied by the family concludes the biography of one of the most unassuming, honest, and able Englishmen who ever helped to

build up the Empire in the Colonies. It repeats several facts already mentioned, but it is thought better to publish it without any abbreviation.

*Memorandum.*

“The first record we have of the Southey family is in 1545, in the person of Johannes Southey, who had two grandsons. John, the eldest, went to America; the youngest, Robert, married Anne Locke, and had a son named Thomas, born in 1696. Thomas had two sons, from the eldest of whom the Southey families at the Cape are descended, the youngest being the poet's father. John, son of the eldest of these two Southseys, and therefore cousin to the poet, married Elizabeth Potter and had a large family, consisting of seven sons and one daughter; the eldest son, George, married Joan Baker, and came to the Cape in 1820 with a party of settlers, bringing with him from Devonshire five sons and two daughters. The youngest, named Carron, died on the way out, but the following landed in South Africa: William, Richard, George, and Henry, and the two daughters, Sophia and Elizabeth; the former subsequently married Joseph Sterk, and the latter became Mrs. C. Powell, whose daughter is the wife of the Hon. John Frost, C.M.G., Secretary for Agriculture in the present Cape Government.

“Sir Richard was twice married, first, in 1830, to Isabella Shaw (a connection of the Gilbert A'Beckett family), by whom he had five sons who reached the age of manhood, viz. Charles, William, John Henry Oliver, William Robert (who died young), Richard George, and Juan Smith; of these Charles and William are progressive and successful farmers in the Middelburg District, Cape Colony, and the former has had conferred on him the Order of St. Michael and St. George for services rendered during the Boer War, 1899-1902.

“John Henry, who became a Government Land Surveyor, died in 1876. Richard George entered the Imperial Army in 1864, served with his regiment (the Lincolnshire) at home and abroad until 1878, when he returned to the Colony to take up a position in the Cape Colonial Forces, with which he has been connected ever since, and as Colonel has had conferred on him the Orders of Companion of the Bath and St. Michael and St.



George, besides four war medals. Juan, who joined the Cape Civil Service, died unmarried. Sir Richard's first wife died in 1869. His second marriage took place in November, 1872, with Susan, daughter of J. D. Krynauw, Esq., a member of one of the oldest Dutch families of the Colony. She predeceased him in 1890.

"By this marriage he has left one daughter, Helena Georgina, and one son, Cecil Henry. The latter, who has recently come of age, has been through a course of study at the Agricultural College with the intention of taking up farming as his occupation in life."

In Froude's "Short Studies" he describes a brief visit to Kimberley in 1874, and thus refers to Sir Richard Southey: "The Governor himself is one of the most remarkable men in South Africa. He won his spurs in the Kafir war of 1834." He then goes on briefly to review his career, and ends by saying that his policy was "to check the encroachments of the Transvaal Republic, and extend the Empire internally." This Mr. Froude declares was—

"the one mistake of his life. Being without a force of any kind, he could only control the Republics by the help of the Native Chiefs, and the coercion of the Republics in any way became impossible from the moment that the control of the Cape Colony was passed over to its own people. Otherwise, I have rarely met a man I have more admired. Mr. Southey is over seventy. He drove me one day over seventy miles in a cart with as wild a team as I ever sat behind, and he went to a party in the evening. I said to myself as I looked at him, 'If some one came in and told you that you were to be taken out and shot in five minutes, you would finish what you were about with perfect deliberation, and not a muscle of your face would alter.'"

One of the chief characteristics of Sir Richard Southey, one of his brothers says, was "determination." "When undertaking anything there was no halting or half-measures. Another leading feature of his character was 'self-control.'" The most severe attacks never succeeded in disturbing his

equilibrium. This close observer very correctly adds, "As a debater in Parliament he was not brilliant, yet his speeches were well arranged, and moreover carried conviction, for the reason it was known that he never uttered anything tainted by falsehood."

## APPENDICES.



## APPENDIX A.

### WAR SERVICES OF LIEUT.-COLONEL THE HON. R. SOUTHEY, C.M.G., LIEUT.-COLONEL PRINCE ALFRED'S OWN CAPE VOLUNTEER ARTILLERY.

IN the year 1828 a tribe of Natives, denominated the "Fetcani," was reported to be advancing from a north-easterly direction upon the Kafir tribes occupying the country between the Kei and Umrinvoboo (St. John's) Rivers, driving or destroying all before them, and the Government of this Colony, fearing that unless the Fetcani tribe was checked and driven back, the Kafirs occupying the country beyond our eastern frontier would be driven into the Colony, determined to send all Imperial troops that were at hand into the country where the Fetcanis were, to perform that duty. This necessitated a call for volunteers to perform military duties at the several outposts during the absence of the troops, and I was among those who responded to that call—armed, mounted, and equipped without expense to Government—and performed military duties at Fort Beaufort until the return of the troops.

In December, 1834, the whole eastern frontier of this Colony was invaded by the Kafirs, and the services of all colonists capable of bearing arms was needed to repel them. I joined, at first, a party going out in hopes of rendering assistance to some of our people living at a distance of about twenty-five miles from Grahamstown. We found the dead bodies of three of these—also fell in with some of the enemy.

Next I joined a volunteer corps designated "the Albany Mounted Sharpshooters," and was at once elected to a lieutenancy in it. A few days afterwards, when on early morning parade, the officer commanding informed the corps that a report had been received that the military post at Gwalana (now a portion of the district of Paddie) was surrounded by the enemy,

and the troops stationed there unable, in consequence, to obey the order sent them to retire on Kafir Drift Post, and he called for twelve volunteers to go to their assistance. Thirteen immediately rode to the front and expressed willingness to go. Of these I was one. We soon got our orders, viz. to go first to Kafir Drift and endeavour to force our way through the Fish River "bush" from there, and if impracticable, then to go by a round-about course, *viâ* Trompeter's Drift, which would certainly have been more difficult if opposed.

On arrival at Kafir Drift we found the Gwalana people there, and after a halt of two or three days awaiting the arrival of waggons to carry women, children, etc., returned to Grahams-town.

After a few days a strong patrol of about 300 men, under command of Major Cox, C.M.R.'s, was ordered out, the A.M.S. Shooters forming part, and when well on our way we learned that our destination was, first to go and destroy the villages of the Kafir Chief Eno, and from there, *viâ* Fort Wilshire, to the Gaika Chief Tyalie's and do the same. These duties were accomplished with few casualties on our side and not very many of the enemy killed.

The next thing in which I took part was with a still stronger force sent to reconnoitre the stronghold of the enemy in the Fish River bush, between Committees' and Trompeter's Drifts, on the eastern bank of the Great Fish River. This expedition was under command of Colonel England of the 75th Regiment. The main object of this expedition was to obtain information as to the whereabouts and the strength of the enemy, but we had some fighting also.

The enemy having been found to be in considerable force here, and their position a very strong one, it was determined to endeavour to dislodge them. For this purpose all the forces available—troops, volunteers, burghers, and Native levies, were ordered to the front; the Cape Mounted Rifles and some other mounted men, under Colonel Somerset, to near where the town of Peddie now is. Another column, under command of Colonel England, to Committees' Drift, and the remainder to Trompeter's Drift, there to be joined by Colonel Smith in command of the whole. It was now determined to make a combined movement, and to attack the stronghold from several points at the same

time, and the first difficulty that arose was to find guides to lead the several columns to their respective positions. I was asked if I could name men qualified for the duty, and answered in the affirmative, and in a few minutes the needful number were told off for it, I undertaking to guide the headquarter column. A time was fixed when each column should reach their respective positions. We were delayed several days owing to the river being in a state of flood, but as soon as the water was low enough we left camp one night as soon as the moon rose (between 10 and 11 p.m.), and I led the column along cattle or foot paths, across the river, and up the dense bush-covered heights on the opposite side, towards a point where we were to join the column under Colonel England. During a short halt Colonel Smith came to the front and asked me if I thought I could manage to form a Corps of Guides, composed of men who knew the Kafir country well enough to be able to lead detachments of our force to any part deemed necessary, and said that if I could I should be appointed to command it, with rank and pay of captain. I undertook to do this, and we continued our march, fell in with Colonel England's column at the place arranged for it, and soon after halted for daylight, when operations commenced; and there was hot fighting during the day. We lost some men and killed some of the enemy, also captured some cattle. Early next morning a mounted party from Colonel Somerset's camp came in and reported that the enemy had left their stronghold in the bush and retired further back into their own country. They knew this by the large number of "spoor" of men and cattle they had fallen in with on their way. Colonel Smith doubted the accuracy of this report, and directed me to take *two* of my men and go and examine the spoor. This was a most dangerous undertaking, for I had to ride along the edge of the Fish River bush (where the enemy had been in great force the day before) to a distance of about fifteen miles, and to return again, with only two men, but the duty was performed.

We now fell back on our several positions, and Colonel Smith proceeded to Grahamstown to report to the Governor and Commander-in-Chief, Sir Benjamin D'Urban, who had arrived there, and it was soon decided to invade Kafirland from several points, and I was now attached to the headquarter staff to perform the duty of guide to the Commander-in-Chief. My

Corps of Guides, about forty strong, was soon formed, did duty until the end of the war, and was often favourably mentioned in General Orders.

Now commenced the invasion of Kafirland, and there was hard fighting along the mountainous and bush-covered country about the sources of the Keiskama and Buffalo Rivers and thence to the Kei, but we succeeded in capturing large herds of cattle, and ultimately in driving the enemy across the Kei, where we followed him. And as we were pressing on towards the stronghold of Hintza, the great Chief of the Kafir tribes, he sent a message expressive of a wish to come to terms, and was invited to a personal interview with the Commander-in-Chief. After the lapse of a few days he came in, accompanied by his eldest son, Kreli, a brother named Bookoo, and some councillors, and terms were agreed to by which Hintza bound himself to pay a large number of cattle within a given period; but he urged that it would be needful for us to retire across the Kei, as his people would be afraid to come with the cattle while we were in force in their country. This was agreed to, and we retired to about where the "Kei Road" village now is, Hintza, with his son and the others, remaining with us as hostages, pending the delivery of the cattle.

The time passed, and no cattle came; for which Hintza's excuse was that his people were afraid to come, but if he were allowed to go in person he would soon collect the required number; and ultimately it was arranged that he should go, accompanied by a considerable force under command of Colonel Smith; Kreli, Bookoo, and two of the privileged councillors remaining as hostages with us. I may mention that all these hostages while in our camp were regarded as being in charge of myself, as Captain of the Corps of Guides, aided by some sentries from Imperial troops.

The expedition under Colonel Smith, with Hintza and some councillors, started, recrossed the Kei, proceeded to the Bashee River and across it, Hintza being allowed now and again to send one of his councillors away with messages to his people, as he said, directing them to bring in the required number of cattle, but more likely the instructions were to collect a large force at a given place, while he led our unsuspecting force to their vicinity. Hintza was allowed to ride a fine horse, in high



condition, and to carry his assegais. No one but the commander of the expedition, Colonel Smith, was equally well mounted. Consequently, when ascending a bush-covered steep hill along a narrow path, Colonel Smith riding in front, the Guides next, walking, and leading their horses, Hintza with them, he rode, when nearing the top of the hill, to the Colonel's side as if going to talk to him, then all at once started off at full speed. Colonel Smith took pistols from his holsters and snapped them, but both being unloaded no damage was done. He then put spurs to his horse, rode to Hintza's side, and catching him by the collar dragged him from his horse. He fell heavily, but immediately rose to his feet and ran towards a gully on his left. While this was going on, Lieutenant G. Southey of the Guides, and Lieutenant Balfour, Aide-de-Camp to Colonel Smith, managed to come up with them. Southey dismounted, and after calling to Hintza to stop, without effect, fired at him, hitting him on one side near the arm-pit. Hintza fell, but rose again and renewed the running. Southey fired again, and struck him on the leg. He fell again, but as before jumped up again and recommenced running, and while Southey was reloading his gun managed to get under cover into the gully. Southey and Balfour followed, and on getting to the rocky bottom, where there was a rivulet, they separated, one going up, the other down the stream. Southey had not gone far when he heard something scratch against a large piece of rock close to him, and in a moment he saw Hintza's head and his right hand with an assegai in it just ready to stab him, on which he raised his gun and shot the wily chief through the head, killing him at once. If he had hesitated a moment he himself would have been the dead man, as the assegai was within a foot or two of his body.

R. SOUTHEY.

## APPENDIX B.

### KRELI.

#### *Memorandum.*

OBSERVING by the further correspondence respecting the affairs of South Africa (presented to both Houses of Parliament by command of Her Majesty) that His Excellency the Governor had found that the records of the Colony were deficient in information, especially in regard to Krelī and his Galekas, and notably the terms under which they were permitted to re-occupy a portion of the territory between the Kei and Bashee Rivers, and that in consequence of this want of recorded information, Mr. Brownlee, late Secretary for Native Affairs, had been requested to draw up an historical sketch of Krelī's political position, I venture to offer a few remarks upon the subject which may perhaps tend to the discovery of recorded information not yet brought to the Governor's notice.

2. According to Mr. Brownlee's "Historical Sketch," dated 1st November, 1877, it appears that he laboured under the impression that the Galekas were not implicated in the wars of 1834-35 and 1846-47, further than by affording shelter and protection to the Gaikas and others who were engaged in those wars, and that when our forces crossed the Kei into the Galeka country during those wars, it was in pursuit of the Gaikas, and not to wage war with the Galekas.

3. I lean to the opinion that Mr. Brownlee's impression on this subject is erroneous, and that if the Records of the Colony be again searched, they will furnish conclusive information to that effect.

4. The documents in which information on this subject will be easiest to find will be the Despatches of the Governors at the time—Sir Benjamin D'Urban's Despatches, 1834-5-6; Sir

Peregrine Maitland's of 1846 and the early part of 1847; and Sir Henry Pottinger's later in 1847.

5. These Governors (the two first of whom were also Commanders of the Forces) satisfied themselves, I think, that Hintza first, and afterwards Kreli, and their people, were not less implicated in the wars of the periods than were the Gaikas, T'Slambies, and others who occupied territory nearer our borders.

6. When, in 1835, Sir B. D'Urban resolved to cross the Kei with the force under his immediate command, he made publicly known his reasons for so doing, and the object he had in view. This occurred on the right bank of the Kei near the Waggon Drift, and the documents then published will doubtless have formed annexures to his first Despatch thereafter. Those papers and the "General Orders" will furnish information on these movements.

7. Some three months *before the war broke out* (in December, 1836) Hintza removed from his ordinary residence near Butterworth to "the Amava," being influenced thereto (as it was understood) by the Chiefs who were to be more actively engaged against us, in order to be in a position to co-operate with them more effectually than he could do if he remained at Butterworth, and also to render it more difficult for us to find him if we desired to do so.

8. After crossing the Kei the force halted for a few days at "the Springs," proceeded thence to the vicinity of Butterworth, and again halted for some days.

9. During this time messages were sent by the Governor to Hintza, conveying demands upon him, particulars of which will doubtless be found in the Despatches to the Secretary of State written at the time.

10. No satisfactory response being made by Hintza, the Governor moved with his force in the direction of the "Amava," and halted again near the T'Somo.

11. During this march northward portions of the force were detached and sent in different directions to examine the country, ascertain where the enemy could be met with, and operate against him as occasion might offer.

12. One of these detachments, under the command of Colonel Smith, then Chief of the Staff and second in command, approached

so near to Hintza's hiding-place as to show him that he was not safe there.

13. Being thus pressed, he ventured upon trying what was to be done by diplomacy, and sent word that he would come to the Governor's camp to enter into arrangements for a satisfactory settlement of affairs.

14. He came accordingly, accompanied by his son Kreli, his brother Buku, and others, and was met some miles from the Governor's camp by Colonel Smith and a small escort, who accompanied him to the Governor.

15. Negotiations were now entered upon, and concluded by an agreement with Hintza, that within a certain number of days he should pay and deliver over a given number of horned cattle, and that until the cattle were handed over he and his son and Buku should remain as hostages in our camp, he being at liberty to send away as many of his other followers as he chose with orders to his under-chiefs to bring in the cattle.

16. Days elapsed, and no cattle came in. This Hintza represented to be in consequence of the presence of our force in the country, and induced the Governor to hope (if not believe) that if the force were withdrawn the cattle would be brought.

17. Influenced partly by this representation, but more, I fancy, by the want of sympathy and support on the part of the Imperial Government in his arduous and difficult position, the Governor re-crossed the Kei and encamped for a day or two on its right bank.

18. Here His Excellency again promulgated information by means of Proclamations and General Orders, announcing what had been done; and he formally took possession of the territory west of the Kei River, annexing it to the British dominions under the title of the "Province of Queen Adelaide."

19. Still Hintza's agreement to deliver cattle remained unfulfilled—none came in—and the wily old chief now attributed it to his absence from his tribe. If he were allowed to go back to his people the cattle would be forthcoming at once.

20. Upon this, and on the urgent solicitations of Colonel Smith, Sir B. D'Urban was induced to permit the Colonel to take about half of the force, and accompany the Chief back into his country to collect the cattle; the understanding being that if Hintza were unable to compel his people to obey his orders to

deliver up the stock, he should lead our force to where the cattle were, and we should seize them, he himself continuing to remain with the force as a hostage until the fulfilment of his agreement was accomplished. Kreli, Buku, and others were also to remain with the Governor as hostages.

21. Instead of acting up to this arrangement, Hintza led our troops through a country where the cattle were *not*; more than once endeavoured to draw them into an ambush where his people were in great force, and, failing to accomplish this design, took advantage of what he supposed to be a favourable opportunity to endeavour to make his escape, in attempting which violent and further breach of faith he lost his life. When the Governor became aware of Hintza's death, he released Kreli from his position as a hostage on his undertaking to carry out his father's engagements. This occurred at Fort Warden, as mentioned by Mr. Brownlee; but Buku and two or three others were detained as hostages, and subsequently taken by me to Grahamstown, where they remained in my charge for some time. Ultimately, although Kreli had not fulfilled his engagements, Sir Benjamin decided upon releasing the hostages, and I, by His Excellency's directions, accompanied them to the neighbourhood of Fort Warden, and there permitted them to cross the Kei into their own country.

22. Full information upon these points may be found in Sir B. D'Urban's Despatches, and more particularly in one written after a Court of Inquiry had sat at Fort Willshire by direction of the Secretary of State for the Colonies, to investigate and report upon the circumstances connected with the death of Hintza.

23. I have written so much upon the subjects hereinbefore alluded to, because it seems to me that Mr. Brownlee's memorandum implies, to say the least, that we invaded the Galeka territory during the wars of 1835 and 1846 without sufficient justification; which, added to another allegation in the same memorandum that in 1847 we seized upon a considerable extent of land west of the Kei River, therefore belonging to Kreli, would, if strictly accurate, tend to show that the Galekas had been unjustly treated, and had real and substantial grounds of complaint against us.

24. I have a personal knowledge of many of the circumstances

referred to, and entertain opinions very different, but, perhaps, inasfar as the war of 1835 is concerned, the opinion of the then Secretary of State for the Colonies (Lord Glenelg), formed after he had received the report of the Court of Inquiry before mentioned, will best show the true state of the case. His Lordship had entertained very strong opinions adverse to that I am now about to quote, but he was constrained to admit, after the results of the inquiry became known to him, that—

“with regard to the case of the Chief Hintza, I am happy to state that the information now transmitted clears up the doubts and difficulties which, in my Despatch of the 26th December, 1835, I described as connected with that subject. It is, I think, now established that, if not the fomentor of that invasion, that chief was at least engaged in a secret conspiracy with the authors, and was availing himself of such advantages as it afforded him. On himself, therefore, rests the responsibility for the calamity in which he and his people were involved by the contest.”

25. As regards the land west of the Kei, alleged to have belonged to Kreli prior to the issue of the Proclamation in December, 1847, extending our boundaries to that river, I am disposed to think that there were no well-defined boundaries between the several tribes of Kafirs. We had been in the habit of regarding the Kei River as the dividing line between the Galekas on the one side and the T'Slambies and Gaikas on the other; but among the Kafirs the jurisdiction of the Chiefs was rather personal than territorial. Some members of the Galeka tribe resided west of the Kei, and some of the T'Slambies and Gaikas east of that river. Be that as it may, the Proclamation was issued at the close of a war in which the T'Slambies, Gaikas, and Galekas had alike been engaged against us, and we had then a perfect right to dictate what the future boundaries of those tribes should be, as well as our own.

26. The mere issue of the Proclamation did not, as Mr. Brownlee assumes it did, make Kreli's people British subjects. They were at perfect liberty to cross the Kei and reside within their own territory. The loss of the land to the tribe, if it really belonged to it, was one of the results of a war unprovoked by us and waged against us by them.

27. I had not much personal concern with the war of 1846, but I feel assured that Sir Peregrine Maitland, our then

Governor, had ample proof of the complicity of the Galekas therein, and that a reference to his Despatches will satisfy any inquirer that the tribe participated in that war, as they had done in the war of 1835.

28. The next war began in December, 1850, and Mr. Brownlee says Kreli was "a consenting party" to it. I consider him to have been something more than "a consenting party," and should be surprised if the Despatches of Sir Harry Smith and Sir George Cathcart did not furnish sufficient evidence to prove it.

29. The fact is, and at the present time in particular it should not be disguised, that Hintza, as head of the Galeka tribe and Chief Paramount of Kaffraria, and after him his son Kreli in the same capacity, possessed immense influence for evil over the Kafirs generally, and used that influence to the utmost against us.

30. The results of the war of 1850 were to some extent unfavourable to the aims of Kreli and his coadjutors of the Gaika and T'Slambie tribes, but they did not abandon all hope of ultimately conquering us, and soon entered upon another conspiracy which they anticipated would be more successful.

31. This conspiracy, which began to develop itself during 1856, was a miserable failure, and although it did not involve us in actual war with the Kafirs, it was more disastrous to them than any or all of the wars had been. Excited to an extraordinary degree of infatuation by their so-styled "Prophets," they were induced to destroy their cattle and other means of subsistence. Thousands died of starvation, while some forty or fifty thousand of them were encouraged and assisted by our Government to enter the Colony, and spread over it among the farming population as servants to save their lives.

32. The information possessed by the Governor (Sir George Grey) satisfied him that this mischief originated in a conspiracy by the Chiefs, of whom Kreli was the head and principal, whose object it was to reduce all the people to such a state as would ensure united action among them against the Colony. It is not easy to comprehend how they satisfied themselves that the means resorted to would accomplish that end, but so it was ; as I have said, the result was a great failure.

33. Sir George Grey had from the commencement of his

service as Governor felt that if wars were to be avoided it was necessary to reduce the power and influence of the Chiefs, and to raise the mass of the people from their position of abject dependence upon their Chief's will. Her Majesty's Government had authorized him to expend £40,000 a year on measures having these objects in view, and he went vigorously to work upon them. The Chiefs soon perceived that their power was being undermined, and this, it is presumed, gave rise to the conspiracy which the gross superstition of their people enabled them to carry to so damaging an end.

34. Kreli was warned by Sir George Grey that his conduct was watched, and that he and his people would be made to suffer for their evil deeds if they did not discontinue them. He paid no heed to the warning, neither abandoned his hostile intentions towards us, and in consequence the Governor determined to expel him and his people from the country between the Kei and Bashee, and force them over the latter river, where they might remain in subordination to Moni and other Chiefs, their existence as an independent tribe being considered to be too dangerous to the Colony to be permitted to continue.

35. As soon as this decision was arrived at, the necessary measures were adopted for carrying it speedily into effect. Sir Walter Currie, Commandant of the Armed and Mounted Police, received instructions to assemble a large body of his force in the vicinity of Queenstown, to invite the co-operation of armed burghers, and of such Natives, Tambookies, and Fingoes as he thought fit, and with them to accomplish the task. The Civil Commissioner of Queenstown and the Superintendent of the Tambookie Location (Mr. Warner), perhaps also other Superintendents of Natives, will have been instructed to render all assistance in their power.

36. The chief correspondence on the subject was probably conducted by myself, as Secretary to the Lieutenant-Governor at Grahamstown, and may be found among the records of the Lieutenant-Governor's office, which I believe are now in the Colonial Office at Cape Town. Mr. S. Brodrigg of the Stamp Branch of the Treasury would doubtless be still able to trace the correspondence if desired to do so, as he was Chief Clerk in the Lieutenant-Governor's office at the time.

37. Sir Walter Currie accomplished the work. In a very



short time all Galekaland was emptied of its inhabitants, and was kept clear of them for some years thereafter by small detachments of the Mounted Police stationed there, and the formation of the Idutywa Reserve by "Gawler's Kafirs."

38. Our Government failed to take full advantage of the opportunity so thrown in its way to provide against future troubles. Something, however, was done in the country between the Keiskama and the Kei (which had been voluntarily abandoned by its inhabitants to save themselves from perishing by starvation), as portions of that territory were surveyed into farms, and granted to "suitable" colonists on special conditions; but large tracts—much too large, I think—were set apart as Native Reserves, to which the Kafirs, who had spread themselves over the Colony in search of food, might again return and rally round their former Chiefs, while the whole of the country between the Kei and Bashee Rivers was left unoccupied for years, except the small portion of it allotted to the "Gawler Kafirs," and named the "Idutywa Reserve."

39. The omission to take advantage of the opportunity did not arise from want of inclination on the part of Sir George Grey, or on that of his successor in the Government, Sir P. E. Wodehouse, but was the result of circumstances beyond their control. The greatest obstacle was the disinclination of the Imperial Government to extend the boundaries of the Colony; the next difficulty in importance was the objection of our own Parliament to bear the entire cost and responsibility of such extensions.

40. I do not remember that Sir George Grey, who left this Colony for New Zealand in August, 1861, formed any plan for filling up the Trans-Keian territory, although the desirability of so doing must have been felt by him and urged upon him by many persons; but Sir P. Wodehouse, who assumed the Government early in 1862, soon turned his attention to the subject very earnestly.

41. It was known by this time that considerable numbers of Kreli's people, who had been in service in the Colony, had returned, or were returning to him, the temptation to do so being mainly the chance of recovering by some means or other their lost territory. Kreli had frequently prayed for forgiveness under all sorts of pleas and promises, and our leaving the country

open encouraged him to hope for success. There must have been much correspondence on the subject between the Lieutenant-Governor of British Kaffraria and the Governor, the Tamboukie Agent (Mr. Warner), and Sir Walter Currie and myself, all of which should be on record at the Colonial Office, or among the papers of the High Commissioner at Government House.

42. Sir Philip Wodehouse, surrounded by difficulties, and much perplexed by the great diversities of opinion from time to time urged upon his attention, decided upon having the country divided into farms of moderate size and granting them to selected persons, subject to defensive arrangements, if by any means money could be obtained to defray the cost of a special Police force for the protection of the country during the first four or five years, until the people could themselves provide the means for so doing.

43. The Imperial Government provided this arrangement for a time, and consented to allow half the cost of the Cape Mounted Rifles (which regiment was about to be disbanded) to help us to provide a force for the protection of the Transkei territory for a certain period. My impression on this subject is that it had been decided to disband half the regiment, and to keep on the other half for a time, and that Sir Philip proposed that the whole regiment should be disbanded, and one half the cost thereof be allowed for Transkeian purposes, and that this was agreed to subject to Parliamentary sanction.

44. This arrangement appeared to be in a fair way of being carried out when our Parliament met in Grahamstown in 1864. Some short time after that Mr. Bowker, who as Inspector of Police had been in command of the detachments in the Transkei, came to town on duty, leaving a much younger officer in charge. While Mr. Bowker was in town an express arrived from this young officer reporting that he had received information from one of their paid detectives to the effect that Kveli intended to attack Fort Bowker on the following day, and to drive the Police out of the country in order that he might himself re-occupy it.

45. This information was considered by Sir Walter Currie and Mr. Bowker to be perfectly reliable, and my suggestion that the Kafir word "gomso" (to-morrow) did not invariably mean

the following day, but frequently implied a future convenient opportunity, went for nothing. Orders were sent at once to various Police Stations, directing all available men to move as speedily as possible into the Transkei, for which place Sir Walter Currie and Mr. Bowker also started during the night, and in due course arrived there to find everything quiet.

46. A mail was leaving for England a day or two after the arrival of this express, and of course copies of the report, with the opinions of Sir W. Currie and Mr. Bowker, were forwarded by it to the Secretary of State. The result was the abandonment by the Home Government of all idea of co-operating with us in the way before described, and leaving the Governor to fill up the country in any way he could, but cautioning him against risking a collision.

47. Every one agreed that it was impossible to keep the country unoccupied much longer, even if it were desirable to attempt it. Kreli frequently represented that he could not remain where he was, and Moni complained of our forcing Kreli to be in his country while he had scarcely enough ground for himself. I may here mention that an offer was once made to Kreli to provide him with land in "No Man's Land." Sir Walter Currie was sent to Kreli to make the offer, either by Sir George Grey or Sir P. Wodehouse (the latter, I think). This offer Kreli declined.

48. Kreli's messages to the Governor were sent sometimes through the Lieutenant-Governor of British Kaffraria, at other times through Sir W. Currie or Mr. Warner. When through the former the messages usually went direct to the Governor, and those through the two latter to me, first while I was Secretary to the Lieutenant-Governor, and afterwards while Acting Colonial Secretary. The replies went through the same channels, and the correspondence will be found among the records.

49. On one occasion (I cannot fix the date) Mr. Warner was sent into Moni's country to make observations, and report upon the condition of Kreli and his followers residing there; also as to the disposition of Moni with regard to them, and the practicability, or otherwise, of arrangements being made for their permanent abode in it.

50. Mr. Warner's report was unfavourable. He represented Moni as being greatly dissatisfied with Kreli's continuance in his

country for so long a time, and as having expressed an intention to expel him from it. Kreli, he said, was in a miserable pligh and very penitent. The general purport of the report was to the effect that if Kreli were compelled to remain where he was much longer, complications and hostilities would arise which might involve us in serious troubles.

51. It was, perhaps, after this visit that the offer was made to provide for Kreli in No Man's Land ; if so, it was Sir Philip Wodehouse who made the offer.

52. At the time when the Imperial Government withdrew from the proposed arrangement to aid the Government of this Colony in defraying the cost of a special force for guarding the Transkeian territory, our own Government was not in a position to run any risk of hostilities not absolutely forced upon it. The Armed and Mounted Police was, I think, under five hundred strong, and spread over the country in small detachments where their services could not well be dispensed with. The military force was very limited, and there was a continuous pressure by the Home Government to still further reduce it until only one regiment was left at the Imperial cost. The allowance of £40,000 a year made during Sir George Grey's tenure of office by Her Majesty's Government had been discontinued, and our own finances were in a very unsatisfactory condition, expenditure having for many years exceeded the revenue by large amounts. All these circumstances combined left the Government with only a choice of evils—either allow Kreli to re-possess himself of the whole country, or divide it between him and other Natives likely to be able to hold their own against him.

53. The Governor decided upon the latter alternative. Kreli, in response to his frequent and urgent appeals for merciful consideration, was informed through Mr. Warner and Sir W. Currie that he would be permitted to re-occupy, subject to good behaviour, a portion of his former country from the coast upwards to a line to be determined by us, and pointed out to him, and subject, further, to forfeiture if he misconducted himself. He made many professions of gratitude for this concession, and promised not to give trouble. Still, Kafir-like, he hoped that he might afterwards be deemed worthy of further favours, as the land to be allotted to him was very small. The Governor's reply to this expression of hope was firm and decided—no more land would under any

circumstances be given to him, and he was told not to permit more people to join him than the land was sufficient for.

54. Mr. Brownlee had fixed the year 1862 as the period when these arrangements were made, but it was not until after the close of the Session of Parliament in Grahamstown in 1864. Sir P. Wodehouse remained in Grahamstown for a short time after the close of the Session, and personally carried on correspondence with Mr. Warner, Mr. Brownlee, Sir Walter Currie, and others on the frontier, relative thereto, and also communicated with me at Cape Town thereon.

55. I had been very much opposed to allowing Kreli to return from beyond the Bashee, and when it was found impossible to carry out the plan of throwing in a strong body of Colonial farmers between that river and the Kei, I urged the desirability of locating a *large* number of Fingoes in the country, as they were less likely to strengthen Kreli than any other Natives that could be selected, while we should at the same time be relieving the overcrowded Fingoe locations in the Colony.

56. Mr. Warner was equally urgent for granting to the Tambookies of the Tambookie location in the Queen's Town District (where he was the Government Resident) a large slice of the Galeka country, in exchange for their location, which he said they would vacate if allowed to settle east of the Indwe and up to the boundaries of Gangelizwe's territory, so as to re-unite what then was, and had been for a long time, a divided "Nation." This policy was very different to my ideas of what a wise policy should be. I was in favour of weakening—not strengthening—so as to bring the people who could not control themselves under efficient and effectual supervision; and besides, I felt certain that many of the location Tambookies would refuse to emigrate, and that we should simply be increasing the "Nation's" territory to their own as well as our injury, but, as before said, the Governor had only a choice of evils, and the adoption of Mr. Warner's proposal seemed to be by no means the greatest.

57. He was authorized to make the offer and, if accepted, to carry it into effect. The offer was pretty generally accepted, but ere long it was found that many would not willingly leave British territory and British laws for territories within which they were to be left to the tender mercies of their own Chiefs:

while others, influenced by less worthy motives, also refused to move. In this dilemma, Mr. Warner first invoked the influence of the Chiefs who had crossed, and next that of the Chief Paramount Gangelizwe, to induce them to go, and, both failing, he recommended that the Chiefs should be permitted to use force, or otherwise that the Mounted Police should be sent to compel the fulfilment of what he held to have been a contract. These recommendations, as a matter of course, were not adopted, and the ultimate result was that only a small portion of the Tambookie Location reverted to the Government.

58. While the correspondence was in progress with Mr. Warner, Mr. Brownlee, who at the time was Gaika Commissioner, recommended that an offer should be made to Sandilli and his tribe to vacate their location and settle beyond the Kei, adjoining Kreli. He considered that if told they would by such a move be released from their allegiance to the Queen, and be left to govern themselves as of old, they would gladly accept the offer.

59. The Governor mentioned this to me in a note written, I think, from King William's Town, and in reply I expressed myself as much surprised, and as considering the proposal to be very objectionable for many reasons, adding my belief that Sandilli himself, and most, if not all, his people would decline the offer, if made. I need not here detail the reasons which influenced me in forming my opinion, but may mention that Sir Philip informed me that Mr. Brownlee felt certain that the Gaikas would jump at the offer if made to them. The offer was made, and declined.

60. After this it was decided to locate Fingoes between Kreli and the Tambookies, and Sir Walter Currie was entrusted with the duty of effecting their removal and settlement. There was great opposition to this movement from many quarters, but the energy, perseverance, and pluck of Sir Walter overcame it, and the duty was well performed.

61. The country between the Kei and Bashee was not annexed to this Colony nor otherwise added to Her Majesty's dominions, and the emigrant Fingoes and Tambookies were distinctly told that they would be left to govern themselves as best they could, that this Government would place "Residents" with them to be mediums for communication, and to advise

them ; but they would neither have nor exercise judicial functions of any kind. It was not necessary to make the same communication to Kreli, as he never had been a British subject.

62. The Government carried out its pledge. Residents were placed with Kreli, the Fingoes, and the Tambookies, and Mr. Warner was appointed a sort of General Superintendent over all. Difficulties, however, soon arose, particulars of which I do not remember in detail. My impression is that there were jealousies in various quarters and of several kinds, that among others Kreli objected to Warner having anything to do in his tribe while he was also head of the Tambookee tribes, and that Mr. Warner himself recommended that he should be relieved from any duties connected with the Galekas, and that his recommendation was adopted, and after a time he was pensioned off, and thereafter each Resident acted independently.

63. Kreli was always troublesome, continually having disputes with the Resident, and asking for his removal and the appointment of some other. I do not remember whether in any instance while I was Colonial Secretary these requests were complied with ; for my own part I was never disposed to humour him in such matters, and thought it advisable rather to keep a man with him that was not likely to be too much influenced by his likes and dislikes.

64. Kreli possessed the country he occupied subject to good behaviour, and he was frequently reminded of this ; the Government did not approve of his attack on Gangeliswe in 1872, but it was considered that he had reasonable grounds of complaint, and as neither he nor Gangeliswe were British subjects, his action then was not regarded as a serious breach of agreement.

65. The removal of the Fingoes and the Location Tambookies from the Colony and Colonial laws into a territory where they were to be left to govern themselves according to native laws and customs was doubtless a movement, and a very serious one, in the wrong direction, but it would have been disastrous to have permitted the Galekas to re-occupy the whole of the country.

66. These notes have been jotted down from memory, with the object of indicating how and where recorded information may

be found upon subjects connected with Native affairs in by-gone times. The despatches of the Governors, prior to 1852, are on record, I think, in the Colonial Office, and after that date at Government House.

R. SOUTHEY.

Wynberg, May, 1878.



## APPENDIX C.

*Lieutenant-Governor Hay to the Earl of Kimberley.*

CAPE OF GOOD HOPE.—No. 46.

Government House, Cape Town.

November 19, 1870.

MY LORD,—I have the honour to transmit, and desire Enclosure  
No. 1.  
to recommend to your Lordship's most favourable consideration, a petition addressed by the Griqua Chief Waterboer and his Councillors to Her Majesty the Queen, Waterboer's  
petition.  
praying that, for the reasons set forth therein, Her Majesty may be graciously pleased to proclaim her authority over Griqualand West, or over such portions thereof as Her Majesty's Government may advise, and that Her Majesty may be further pleased to extend to the Griquas of Griqualand West the protection and privileges of British subjects, and to establish in that country such form of government as the exigencies of the time require.

2. It is my duty to inform your Lordship that this petition is the result of two motive causes, viz.—

Firstly, That since the discovery that diamonds exist in vast numbers within and beyond the limits of the Griqua territory, many thousands of British subjects have emigrated thither (and their number is daily increasing), and the Griqua Government feels itself incompetent to exercise over them and over other foreigners who have also gone or are going thither, that authority which the peace and well-being of all concerned imperatively demand; and

Secondly, That the Governments of the two neighbouring Republican States (the Orange Free State and the South African Republic) have, since the discovery referred to, assumed an attitude towards the Griqua people and other aboriginal

inhabitants which plainly indicates an intention of seizing upon and appropriating between them, without sufficient or justifiable cause, nearly the whole of the Griqua and adjacent other Native territory, and of ejecting therefrom the native population, by whom it is now and for a long series of years has been occupied.

Sept. 19,  
1870.  
Oct. 18,  
1870.  
Nov. 2,  
1870.  
Nov. 18,  
1870.  
Nov. 18,  
1870.  
Enclosure  
No. 2.  
Free  
State  
Procla-  
mation.

3. I have already, in my Despatches of the numbers and dates noted in the margin, shown, I think conclusively, that the Orange Free State has no valid claim to the territory on the right bank of the Vaal River, over which, by a recent Proclamation, dated the 29th August, 1870 (of which a copy is annexed), its Government has assumed authority; and I am in communication with the President of the South African Republic, with a view to ascertain the grounds upon which the claim preferred by that Republic to lands on the Upper Vaal River and between that stream and the Hart River is founded, the result of which I will as early as possible communicate to your Lordship.

4. Under these circumstances I propose in this Despatch to confine myself to a review of the Chief Waterboer's claims to the territory, and to the favourable consideration of his case by Her Majesty's Government.

5. I will treat of these matters as briefly as is consistent with lucidity, and with the importance of the interests involved.

6. The present Chief of Griqualand West, Nicholas Waterboer, is a son of the late Chief Andreas Waterboer, who, with his people, many years ago emigrated to the country now called Griqualand, under the auspices and in accordance with the desire of the then Government of this Colony, with the object of establishing order in those parts and reducing the bands of marauders by which it was infested.

7. That Andreas Waterboer did well and truly perform the part that was expected of him there are many proofs. His successor has placed in my hands three silver medals which were presented to him and two of his Councillors in the year 1825, on behalf of Her Majesty's Government, the inscriptions on which testify that at that early period he was already regarded as a friend. The inscription upon the medal presented to himself is in the Dutch language, and may be

thus translated, viz. "Andreas Waterboer, Captain of the Griquas—a token of friendship from the English Government."

8. In the year 1832 he rendered valuable assistance to an armed expedition sent by the Colonial Government against a band of robbers on the northern borders, as is shown by the annexed copy of a communication addressed to him on the 5th February, 1834, by the then Civil Commissioner of the Division of Graaf Reinet, Mr. W. C. Van Ryneveld.

Enclosure  
No. 3.

Letter of  
Feb. 5,  
1834, to  
Chief  
Water-  
boer.

9. In the year 1834 a formal Treaty was entered into between the then Governor of this Colony and Andreas Waterboer, a copy of which is appended; and that Treaty was shortly afterwards approved and confirmed by Her Majesty's Government. In this Treaty the boundary of the Griqua territory on the Colonial side is described as from Keis on the Orange River, up the course of that river to Ramah, which is the boundary now claimed on that side by the present Chief Nicholas Waterboer.

Enclosure  
No. 4.

Treaty  
with Chief  
Waterboer  
in 1834.

10. The terms and conditions of the Treaty were strictly observed and acted up to by both parties from the date of its taking effect, in 1834, until the death of Andreas Waterboer, which took place in 1852, and during the whole of that period this Government had no cause of complaint against either Waterboer or his people. On the contrary, he on two occasions effectually did protect the border of the Colony from formidable armed invasions threatened by tribes from the north, whom he met and routed before they could reach the border. The first of these important services was rendered in the year 1823, when a vast horde of Mantatees, estimated at 40,000 in number, was completely broken up by Waterboer's spirited attack upon them in the neighbourhood of Kuruman, and its remnants forced to retreat to the interior. Shortly afterwards he inflicted severe and merited punishment on extensive bands of Baralong and "Bergenaar" robbers, whose raids made them a terror to all living on the northern border.

The death of Andrew Waterboer and the accession of his son Nicholas to the Chieftainship were communicated to the Lieutenant-Governor of the Eastern Districts of this Colony by letter, dated at Griqua Town on the 14th December, 1852; to which letter a reply was sent from

Enclosure  
No. 5.

Letter of  
Jan. 15,  
1853,  
High  
Commis-  
sioner  
relating  
death of  
Water-  
boer.

Grahamstown, by direction of Her Majesty's High Commissioner, at that time Sir George Cathcart, on the 15th January, 1853 (of which reply I attach a copy), and your Lordship will observe that this answer is a full admission that Waterboer always consistently fulfilled the conditions of his Treaty, and is further an acknowledgment of the succession of his son Nicholas.

11. In the year 1854, however, for reasons unknown to me, the same distinguished officer, Sir George Cathcart, saw fit to deny the existence of any Treaty between this Government and that of Waterboer, and to designate the Treaty of 1834 as a personal one with the late Andreas Waterboer, and Her Majesty's Government was induced to adopt that view of the case.

12. It was not alleged by Sir George Cathcart, or indeed by any one, that the Griqua Government or people had, by any act of theirs, forfeited their claim to be considered as the friends and allies of the Colony, or had in any way infringed the terms of their Treaty, and although there was much correspondence on the subject between Governor Sir George Grey and the Secretary of State for the Colonies, which resulted in the Governor's being authorized to continue to Nicholas Waterboer the payments stipulated in the Treaty to be paid to his late father, on condition that he acted in accordance with the terms of that Treaty, yet the formal Treaty itself was not revived, nor do I find that at any time the assistant Commissioner's letter of the 15th January, 1853, above referred to, was ever communicated to your Lordship's Department.

13. That letter appears to me to have been an admission that, so far as our Government was concerned, we were willing to continue in the son's case the Treaty alliance which had existed with the father, and ever since Sir George Grey received the authority above referred to, the annual payments stipulated in the Treaty of 1834 have been made to Nicholas Waterboer, and he, on his part, has faithfully acted up to the conditions upon which they are made.

14. It will thus be seen that for a period of about fifty years the Griquas have acted a faithful and friendly part towards the Government of this Colony, and have maintained

a position on our northern borders from which, but for their presence, we must have expected, and should in all probability have experienced, much trouble and annoyance, and I cannot doubt that these circumstances will have their due weight with your Lordship when considering the application and representations made by these people, who are now in danger of being deprived of their lands on the plea of an alleged purchase of the same from an individual who had no lawful right or authority to sell.

15. And before closing this Despatch, I would desire to call your Lordship's attention to the fact that the Griquas, though a Native people, are in a peculiar condition of civilization essentially different from that of the majority of Native tribes here. They are all Christians; they are in general of mixed blood, and their laws are not Native but European laws. In fact, they are but little removed in civilization and advancement from the condition of such of our own people as inhabit adjacent parts of the Colony, where the nature of the country is similar. Where the land is fit for agriculture, they cultivate, and where it is not, they feed stock. Such tribes as these seem to me to be the natural means by whose agency Africa may eventually in great part be civilized.

16. Time does not admit of my to-day entering upon a discussion of the advantages or disadvantages to this Colony and Her Majesty's other possessions in South Africa which must be the effect of a decision upon this question, but I will treat of that portion of the subject by next mail.

17. I have in a separate Despatch transmitted several Addresses and Petitions from various parts of this Colony in favour of the annexation of the Griqua country to it on fair and equitable terms, and I have only in conclusion to convey to your Lordship my assurance that I have every reason to believe that those Addresses are in complete accordance with the sentiments of a very large majority of the people of this Colony.

I have, etc.,

C. HAY,

Lieutenant-General, Lieutenant-Governor  
Administering the Government.

The Right Honourable  
The Earl of Kimberley.

## APPENDIX D.

### PROTEST.

Drawn up and issued by the Volksraad of the Orange Free State, at its Session Extraordinary of 4th December, 1871, held at Bloemfontein, against the infringements which have been made on the Treaty-rights and Territory of said Free State, by certain Proclamations of His Excellency Sir Henry Barkly, Governor of the Cape Colony and Her Britannic Majesty's High Commissioner, dated 27th October, 1871, by which Proclamation the "Diamond-fields" were declared to be British Territory.

**W**HEREAS His Excellency Sir Henry Barkly, Her Britannic Majesty's High Commissioner in South Africa, and Governor of the British Colony of the Cape of Good Hope, has by Proclamation, dated 27th October, 1871, accepted Captain N. Waterboer and his people as British subjects, and has proclaimed to be British territory a large tract of country to the south of Vaal River, for a long course of years governed by the Orange Free State, and the property of and inhabited by Free State subjects ;

Whereas thereby infringement is made on the territorial rights of the Orange Free State, and the Treaty formerly concluded, and subsequently acknowledged between Her Britannic Majesty and the Orange Free State is thereby violated ;

Whereas in said Proclamation allegations are made as motives for this proceeding of Her Britannic Majesty's High Commissioner which cannot be admitted by the Orange Free State as just and well-founded.

Whereas—in regard to the inhabitants of the Orange Free State and their conduct—erroneous impressions exist, which

might bring them, as a people, into contempt in the eyes of European nations :

The Volksraad of the Orange Free State has, at its Session Extraordinary at Bloemfontein, holden on 4th December, 1871, resolved :—

To be compelled to confirm, as it hereby does confirm, all the protests made up to this time, by the State President of the Orange Free State, against the said Proclamation and the proceedings of the High Commissioner ; and solemnly and formally to protest, as it hereby does protest, and must ever persist in protesting, against the Proclamation above mentioned, and the proceedings of His Excellency Sir Henry Barkly, in regard to Captain N. Waterboer and his people, and the proclaimed territory, as being an infringement of the territorial rights of the Orange Free State, obtained from the predecessors of Her Britannic Majesty's High Commissioner, similarly acting in the name of the Queen of England, and a violation of the Convention concluded on the 23rd February, 1854, between Her Britannic Majesty's Government and the Orange Free State, which Convention was on the 12th February, 1869, at Aliwal North, acknowledged by Sir Philip Wodehouse, Her Britannic Majesty's High Commissioner at that time.

And the Volksraad, considering that it hereby maintains the interest of the people which it represents, and upholds the dignity of the Orange Free State, has deemed it incumbent upon it to publish to the world the reasons of its protest, with some grounds for the claims of the Free State people, and publicly to refute the accusations brought against it.

The Volksraad therefore communicates to the world, that

By Proclamation of His Excellency Sir H. G. Smith, Her Britannic Majesty's then High Commissioner in South Africa, dated 3rd February, 1848, the sovereignty of Her Britannic Majesty was established over the country situated between Orange River, Vaal River, and the Drakensberg ; and by further Proclamation of His Excellency Sir H. G. Smith, that proclaimed territory was divided into four magistracies, viz. : Griqualand, with Bloemfontein as its seat of Government ; Winburg, with Winburg as its seat of magistracy ; Vaal River, with Vrededorp (now Harrysmith) as its seat of magistracy ; and Caledon River, with Smithfield as its seat of magistracy.

The supremacy of Her Britannic Majesty was then established over all people, whether white or coloured, living within those limits.

Of that proclaimed territory a chart was made, which must still be found in the archives of the British Government, on which the said proclaimed territory was delineated as bounded by Vaal River, Orange River, and Drakensberg.

In 1854, Her Britannic Majesty withdrew said sovereignty over this country, and a Plenipotentiary, Sir George Russell Clerk, commissioned by Her Majesty, addressed himself to the white inhabitants then dwelling in the territory, and urged it upon them to take over the Government of that territory.

Few in number, and surrounded by hostile and powerful coloured tribes, these white inhabitants were reluctant to take its Government upon themselves; but constrained by Her Britannic Majesty's Plenipotentiary, and hearing that no choice was left them, inasmuch as the abandonment of the country was determined on, they accepted the Government of this territory.

On the 23rd February, 1854, a Convention was concluded between said Plenipotentiary of Her Britannic Majesty and the delegates of the white population of this territory, in which Convention, among other matters:

The people of the Orange River Sovereignty (now Orange Free State) was declared to be a "free and independent people," and was released from its British allegiance; and being surrounded by hostile and powerful coloured tribes, with which a collision must sooner or later inevitably take place, the white population having been invested against their will with the Government of the country which Her Britannic Majesty had so abandoned,—secured to itself, under article 2 of the Convention, the following advantages:

"The British Government has no alliance whatever with any native chiefs or tribes to the northward of Orange River, with the exception of the Griqua chief, Captain Adam Kok; and Her Majesty's Government has no wish or intention to enter hereafter into any treaties which may be injurious or prejudicial to the interest of the Orange Free State Government."

Besides this a free import of ammunition from the Cape Colony was at the same time guaranteed.



For, being wholly left to themselves, few in number, surrounded by powerful tribes which had been rendered their enemies by war which the British Government had waged against those tribes, deprived for the time to come of the strong hand of England, which had up to that time protected them,—that small people were under the necessity of at least stipulating that that powerful hand of England should not be lifted up to their detriment, on behalf of those hostile coloured tribes. Without the guarantee secured by the 2nd article of the Convention, the taking over of the Government was an impossibility.

Between the years 1848 and 1854, Her Britannic Majesty's Representatives in this territory issued many titles to land, and also established the magistracy of Griqualand, of which Bloemfontein was at first the capital; but of which a second portion, with Sannahspoor, or Fauresmith, for its capital, was subsequently formed into a separate district. Whence it also arose that, on the taking over of the Government, delegates from Bloemfontein, Winburg, Caledon River, Vaal River, and Sannahspoor, as representatives of the whole white population of the country, took over the Government.

The Government handed over to them extended over the country proclaimed in 1848, by His Excellency Sir H. G. Smith, as British territory,—by Proclamation in 1854,—discharged from British supremacy; and by the Convention, on the 23rd February, 1854, ceded to a people from that time forward “free and independent.”

The white population being thus, against their will, charged with the government of the country and the management of their own affairs, established a Republic, and gave to this territory the title of “Orange Free State.”

By the Convention of 1854, the new Government (later denominated the Orange Free State Government) bound itself, that the titles to property and land-rights granted by the British Government should be guaranteed, and that the owners thereof should not be disturbed in their possession.

Faithful to the obligation thus assumed, the Orange Free State protected those who had obtained such titles, and among others, those to whom titles had been granted in that tract of country now proclaimed by His Excellency Sir Henry Barkly, as the property of Captain N. Waterboer, to be British territory.

Over this tract of country the Free State Government has for a number of years exercised jurisdiction; the courts of the Free State have settled disputes between the inhabitants of these now proclaimed grounds; taxes have been levied, and all rights and obligations attached to sovereignty have been enjoyed and fulfilled.

The titles for landed property, granted by the British Government between the years 1848 and 1854, in the tract of country now proclaimed as British territory, are now alleged to have been granted only provisionally, or by mistake, although the Orange Free State bound itself to the maintenance of those very titles; and although those titles, for land obtained from the British Government, have subsequently passed by sale and transfer into other hands, which transactions have been recorded in the Land Registers of the Free State.

In 1865 the Free State—compelled by the reiterated violation of treaties, the neglect to fulfil solemn promises, the incessant robberies, and presumptuous proceedings of the Basuto nation—girded on its sword, and declared war against that nation.

In 1866 a peace was concluded with the Basuto nation, and a new treaty signed, whereby that nation ceded a tract of country by way of indemnification of war expenses. That treaty was not respected, but wantonly broken, and the Free State was once more forced to take up arms.

Notwithstanding the provisions of article 2 of the Convention, England interfered in that dispute, declared the Basuto nation British subjects, and prohibited the transit of ammunition we required, although solemnly bound by that Convention to allow it.

And although the British Government, on the protest of the Orange Free State against that interference as being a violation of article 2 of the Convention of 1854, alleged that their protection of the natives in this case did not tend to the detriment of the Free State, still the right did not then accrue to them utterly to negative the opposite view of the other contracting parties—to refuse to hear them—and so to act as if such other party had no voice in the judgment of its own concerns.

And in 1869 a Convention was at last concluded at Aliwal North on that question, between Her Britannic Majesty's High Commissioner and the Orange Free State, whereby the Convention of 1854 was confirmed, and declared not to have been violated

by the proceedings of Her Britannic Majesty on the Basuto question.

On the 15th September, 1870, it was announced to the President of the Orange Free State, by the then acting Governor of the Cape Colony, Lieutenant-General Hay, that Waterboer and his people applied to be accepted as British subjects, and it was demanded of the Orange Free State to bring forward its proofs of right to the grounds claimed by Waterboer.

Four days later—before the letter of the 15th September, 1870, could have reached Bloemfontein, the Capital of the Free State—the Orange Free State was apprised that British magistrates would be appointed by the British Government in the now proclaimed grounds then actually in its possession and under its jurisdiction.

The Government of the Orange Free State, as representing a free and independent people, acknowledged as an independent State by friendly Powers (among others, by the United States of North America, Germany, France, Russia, Austria, Italy, Spain, and the Netherlands), having concluded Conventions and Agreements with Her Britannic Majesty's Government, and consequently being recognized by Her Majesty as such, offered to submit the decision of the claims advanced by Captain N. Waterboer, and of the rights of the Orange Free State to those grounds now proclaimed, to the arbitration of the head of a friendly Power; at the same time urging for a similar decision regarding the true meaning of article 2 of the Convention of the 23rd February, 1854, grounding such claim on the law of nations, as granting such right, even when one party is weak and the other powerful.

This offer was refused by Her Britannic Majesty's Government, and in a Despatch of Earl Kimberley, No. 100, dated 29th July, 1871, the Orange Free State was informed that England cannot allow foreign arbitration in South Africa, because serious embarrassments might arise therefrom.

On the 27th October, 1871, that territory, which has long been governed by the Orange Free State, and in which, since 1869, rich diamond mines have been discovered, was, in the name of Her Majesty, taken away from the Free State, and, as the property of Nicolaas Waterboer, proclaimed to be British territory.

And although the claims of the Orange Free State to sovereignty over that territory are denied to have *ever* existed, the occupiers of those grounds are nevertheless guaranteed in their rights to them, if acquired from the Orange Free State before January, 1870.

In the Proclamation, declaring said grounds to be British territory, the following reasons are alleged for this proceeding :—

“That the Orange Free State has obstinately refused to submit to arbitration the existing difference between their Government and Her Britannic Majesty, acting on behalf of Waterboer, or has attached to it impossible conditions.”

While, on the contrary, the Orange Free State has all along been, and still is, willing to submit its claims to such an arbitration as consists with international right, to which the Orange Free State, as a free and independent State, considers itself entitled.

In a Despatch of Earl Kimberley, No. 105, dated 21st July, 1871, as motives for proclaiming the Diamond-fields as British territory, it is stated :

“That Waterboer’s offer is accepted, to prevent the irregularities which would arise from a prolonged absence of a regular Government at the Diamond-fields.”

But the Orange Free State most positively denies the soundness of this reasoning :

Because magistrates were appointed by the Free State over those Diamond-fields, a police force was supplied, courts of justice were established, and thousands of subjects of all nations were protected by the Orange Free State in their property and persons, and that in such a manner, that after the forcible seizure of the Diamond-fields by Her Britannic Majesty’s Government, addresses, signed by a great number of Englishmen, were forwarded to His Excellency Sir Henry Barkly, requesting that, under the British Government, the magistracy might be conferred upon the gentlemen who had hitherto represented the Free State Government.

And in those addresses the following words, among others, occur :—

“That your memorialists, in accepting the administration of the British Government, now in force in the above-mentioned and

other places, constituting the territory known as the Diamond-fields, desire respectfully to draw your Excellency's attention to the satisfactory and efficient manner in which the Free State Government has maintained law and order among the large number of people now present at the Diamond-fields."

And while the existence of a regular Government at the Diamond-fields is denied, the functionaries appointed to those Fields since His Excellency's Proclamation are offering the Free State Government to take over by purchase the prison and other official public buildings.

The newspapers likewise published at the Diamond-fields are filled with comparisons between the former Orange Free State administration and the British system, now violently introduced; which comparisons are to the advantage of the Orange Free State Government.

In a letter, dated 23rd October, 1871, from His Excellency Sir Henry Barkly, conveying copy of the Proclamation of the Diamond-fields, the authenticity of a letter from Captain A. Waterboer, father of N. Waterboer, dated 10th February, 1846, is called in question on the ground of a simple denial by Captain N. Waterboer; and the Orange Free State Government is thus indirectly accused of "forgery," although said letter of Captain Adam Waterboer was found by the Orange Free State Government among the documents taken over from the British Government, while the receipt of that letter is acknowledged by the former British Government, in the known handwriting attached to the letter of a British functionary then in the service of that Government.

In a Despatch, dated 17th November, 1870, Earl Kimberley accused the people of the Free State of "slave-dealing," an accusation which the people of the Orange Free State indignantly repels. It invites friendly Powers to inquire whether this accusation has any foundation, and fears not the result of the inquiry.

Besides, the entire correspondence carried on by His Excellency with the Free State, shows that no disposition for an accord exists with him. All proofs advanced by the Free State are treated with contempt, or their authenticity is questioned, and to everything advanced by Waterboer, even pure and simple assertions, instant belief is conceded; and all

this is the more remarkable, because the Free State people is bound to the population of the Cape Colony by intimate ties of relationship, and never has interposed the slightest difficulty towards the Cape Colony.

As an independent, though weak nation, not willing to have forced upon it by a stronger neighbour a mode of arbitration in which the people of the Free State has no confidence, it refuses, and will persist in refusing, the arbitration offered it by His Excellency, Sir Henry Barkly, with a final umpire in South Africa as an ultimatum.

For the people of the Orange Free State will not furnish the show of right wherewith in such a case the injustice inflicted on them would be cloaked. As an independent people they resolve to persist in their determination to claim—as a member, however small and weak, of the brotherhood of nations—to enjoy the privileges to which the law of nations entitles them.

And whereas in the said Proclamation of His Excellency Sir Henry Barkly, dated 27th October, 1871, British supremacy is still further proclaimed over a great extent of country, including the so-called Campbell Grounds, in which also rich diamond-mines have been discovered, and which lie on the other side, or north of the Vaal River; And whereas the Orange Free State lays claim to the thus proclaimed Campbell Grounds, by virtue of a purchase in 1861, from the general agent of the Griqua Chief, Captain Adam Kok;

Whereas the decision of the claims of the Orange Free State to those Campbell Grounds, notwithstanding repeated fruitless negotiations with Captain N. Waterboer, has not yet taken place;

Whereas also in that respect infringement has been made on the rights and claims of the Orange Free State;

The Volksraad of the Orange Free State protests formally and solemnly against the establishment of British supremacy over that territory, likewise usually called the Campbell Grounds; and against all the proceedings of His Excellency the High Commissioner.

And believing that the Most High controls the destinies of nations, and protects the weak, the people of the Orange Free State humbly but confidently commits its rights and future

wellbeing to that Supreme Ruler, feeling assured that such reliance can never be disappointed.

F. P. SCHNEHAGE, Chairman.

JOH. Z. DE VILLIERS, Secretary.

Colonial Office, Cape Town, 30th April, 1872.

F. K. HÖPNE, Esq.,

Government Secretary, Bloemfontein, O. F. State.

SIR,—With reference to my letter, No. 20, of the 29th February last, in which I acknowledged the receipt of your communication of the 15th January, transmitting duplicate copies of a Protest on the part of the Volksraad of the Orange Free State, I have now the honour of forwarding, by direction of His Excellency the Governor, for the information of His Honour the President, copies of a Memorandum which His Excellency has caused to be published in reply to said Protest.

I have, etc.,

R. SOUTHEY, Colonial Secretary.

Colonial Office, Cape Town, 23rd April, 1872.

His Excellency Sir HENRY BARKLY, K.C.B., Governor.

SIR,—In compliance with your Excellency's desire, I have examined into the allegations contained in the Protest of the Volksraad of the Orange Free State of December last, and have prepared, and have the honour herewith to transmit, a Memorandum bearing thereon, by which your Excellency will perceive that many of the assertions made in the Protest are at variance with historical facts.

The Memorandum is much longer than I desired it to be; but I have found it difficult to treat the varied, and in parts contradictory representations with greater brevity, except by omitting to allude to some of them at all, which would have rendered my observations incomplete.

Your Excellency is aware that much delay has arisen in the preparation of this Memorandum in consequence of an accident which for the time deprived me of the use of my right hand.

I have, etc.,

R. SOUTHEY,

Colonial Secretary.

## MEMORANDUM.

The Volksraad of the Orange Free State, in its "Protest" published on the 19th day of December, 1871, asserts that infringement has been made upon its territorial rights, and that the Treaty subsisting between it and Her Majesty's Government has been violated, by Her Majesty's acceptance of the allegiance of the Chief Nicolaas Waterboer and the Griqua people, and by the Governor of this Colony having, by Proclamation of the 27th October, 1871, notified that acceptance, and proclaimed as British territory a certain tract of country south of the Vaal River, for a long course of years governed by the Orange Free State, and the property of and inhabited by Free State subjects.

In support of this assertion, they allege,—

1st. That, by a Proclamation issued on the 3rd February, 1848, by Sir H. G. W. Smith, then Her Majesty's High Commissioner, the sovereignty of Her Majesty was established over all the country lying between the Orange and Vaal Rivers, and the Drakensberg range of mountains, and that by a subsequent Proclamation this country was divided into four magistracies or districts, named respectively, Griqualand, Winburg, Vaal River, and Caledon River, each having its seat of magistracy at a named spot; and that the supremacy of Her Majesty was then established over all people, whether white or coloured, living within those limits; and the World (to which the Protest is addressed) is informed that these magisterial districts included the whole territory between the two rivers and the mountains above named, and it is implied that the magistrates exercised jurisdiction over all the inhabitants, of whatever nation or colour, under and by virtue of Her Majesty's commission.

2nd. That, in 1854, Her Majesty's sovereignty was withdrawn from the country, and that Sir George Russell Clerk, acting as Her Majesty's Special Commissioner, transferred the Government over the whole of it to certain white inhabitants, who formed themselves into a Republic, and named it the Orange Free State.

3rd. That a portion of the territory of the Orange Free State so transferred by Sir G. R. Clerk has been seized by Her Majesty on behalf of Waterboer and his Griquas, and the Orange Free State deprived thereby of its sovereign rights therein. And they



allege, further, that by the Convention between Sir G. R. Clerk and certain white inhabitants of the country, the latter secured for themselves the following advantages: "The British Government has no alliance whatever with any Native Chiefs or Tribes to the northward of the Orange River, with the exceptions of the Griqua Chief, Captain Adam Kok, and Her Majesty's Government has no wish or intention to enter hereafter into any treaties which may be injurious or prejudicial to the interests of the Orange Free State Government; besides this, a free import of ammunition from the Cape Colony was at the same time guaranteed." And that, notwithstanding this stipulation, by which the comparatively few white inhabitants secured for themselves these "advantages," which had been rendered necessary because they were surrounded by powerful tribes which had become their enemies in consequence of wars waged upon those tribes by the British Government, that Government disregarded the stipulation, and entered into engagements with Native chiefs and tribes north of the Orange River, without the consent and approval of the Government of the Orange Free State; and, on one occasion, when that State was at war with the Basutos, set aside the agreement respecting ammunition, and stopped the "free import" thereof from this Colony.

The foregoing appears to form the substance of the charges preferred by the Free State Government against Her Majesty's Government, and of the arguments put forward by the former in support of its charges.

The Protest is so diffusive and contradictory as to render it a matter of some difficulty to reply to its statements *seriatim*, or with due conciseness.

In one part of the Protest it is asserted that the Government of the whole of the territory over which Her Majesty's sovereignty has been proclaimed in 1848 was in 1854 handed over to the "few" white inhabitants, who formed it into a Republic and named the same the Orange Free State. In another part it is alleged that the Native tribes by which the white people were "surrounded" had been made the enemies of the latter by wars waged upon them by the British Government.

Again, in a third place, it is stated that "in 1865, the Free State—compelled by the reiterated violation of treaties, the neglect to fulfil solemn promises, the incessant robberies and

presumptuous proceedings of the Basuto Nation—girded on its sword, and declared war against that nation. In 1866, a peace was concluded with the Basuto Nation, and a new Treaty signed, whereby that nation ceded a tract of country by way of indemnification for war expenses. That treaty was not respected, but wantonly broken, and the Free State was once more forced to take up arms.”

These assertions are, it will be seen, irreconcilable with each other. The Basutos possessed and occupied a very large portion of the territory between the Orange River, the Vaal River, and the Drakensberg, the whole of which (according to the Protest) was taken possession of by the British Government in 1848, divided into four districts, presided over by magistrates, and in 1854 handed over to the white inhabitants; yet the same Protest alludes to those Natives as the “*Basuto Nation*,” and two Treaties entered into between “the Free State” and “the Basuto Nation,” as well as to a tract of country ceded to the Free State by that nation (which tract was altogether—as indeed was the whole country occupied by the Basuto Nation—within the limits which the Protest assigns as British dominion ceded to the white inhabitants, and forming the Orange Free State); and it further makes mention of wars waged against those Natives by the British Government—all which statements are totally inconsistent with the idea previously set forth, that the Natives were in the first place British subjects, ruled over by British magistrates, and subsequently subjects of the Orange Free State Government, and their territories included within the boundaries of that State.

In order to form a just opinion upon the subject, and to ascertain precisely, in regard to territory, what was possessed by the British Government in 1854, and what was handed over to the white inhabitants who formed themselves into a Republic denominated the Orange Free State, it is desirable briefly to notice the occurrences prior to that date, referring to official documents in support of the facts that will be adduced, and the view of the case which will be maintained in this comment upon the Volksraad’s Protest—viz. that the British Government in 1854 had no territorial possessions between the Orange and Vaal Rivers and the Drakensberg, except such as had been acquired by Treaty agreements from the Native tribes, and that it

handed over to the white inhabitants no more than the territory so acquired.

Originally, the whole of the territory north of the Orange River was possessed and occupied by Natives, and chiefly (if not entirely) by those of the following tribes, viz. :—The two sections of Griquas (*i.e.* those of East Griqualand under Adam Kok, and those of West Griqualand under Andries Waterboer) into which that people had by formal Treaty divided itself ; the Basutos under the Chief Moshesh ; the Baralongs under the Chief Moroko (whose principal town, at Thaba Nchu, is scarcely more than twenty miles from Bloemfontein) ; the Bantans under Molitsani (whose headquarters were near the French Mission Station of Mequatling) ; the Bushmen and Korannas under Gert Taaibosch ; and the Mantatees under the Chief Sinkonyella. No white person was in possession of any lawful right or title to land in those regions until the year 1846, when the then Governor of this Colony, Sir Peregrine Maitland, by Treaty with the Griqua Chief, Adam Kok, arranged that a certain portion of the territories of that Chief might be leased by British subjects for periods not exceeding forty years. Prior to this period, white people, British subjects from this Colony, had at different times crossed the Orange River, in the first instance for short periods, during droughts, with the object of depasturing their stock ; and many of them, finding the pasturage to be good, thereafter settled in Native territory on lands purchased or leased from individual Natives.

These transactions, being opposed to Native laws, were held and pronounced by the recognized authorities to be invalid ; and the Native Chiefs concerned (particularly Adam Kok and Moshesh) issued notices, warning British subjects against such illegal proceedings, and also called upon the Colonial Government, between which and themselves Treaty engagements existed, to restrain British subjects from infractions of the laws of their respective territories. The Governors of this Colony concurred in the view of these matters taken by the Chiefs ; and the said British subjects were commanded, from time to time, by Proclamations issued by Governor Sir George Napier and Lieutenant-Governor Hare, and also by communications addressed to them by public officers deputed by the Governors of this Colony so to do,—not to commit any breaches of Native laws.

The endeavours made in 1846 by Governor Sir Peregrine Maitland to adjust the matters complained of by the Native Chiefs did not succeed in placing affairs upon a footing satisfactory to the white inhabitants; and his successor in the Government, Sir H. Smith, with a view to a permanent settlement of land claims north of the Orange River, about eighteen months afterwards proceeded thither, and entered into fresh arrangements with the Native Chiefs, by which he obtained from the Griqua Chief, Adam Kok, that portion of his territory denominated by Sir P. Maitland the "Alienable Territory," and also from certain other Chiefs so much of their respective territories as was then in the occupation of British subjects. Sir H. Smith declared his intention of granting the lands so ceded on perpetual quitrent to the occupiers, and he adopted measures accordingly.

Sir H. Smith's Proclamation of the 3rd February, 1848, was based upon these Treaty arrangements, and in it he particularly states that the object for which it was issued was not territorial aggrandizement, but to provide for future peace and good order, to uphold the Natives in their hereditary rights, and to prevent further encroachment upon their lands by British subjects. The words of the Proclamation are these, viz. :—

"Now, therefore, by virtue of the several powers and authorities in me vested, and subject to Her Royal confirmation, I do hereby proclaim, declare, and make known the sovereignty of Her Majesty the Queen of England over the territories north of the great Orange River, including the countries of Moshesh, Moroko, Molitsani, Sinkonyella, Adam Kok, Gert Taaibosch, and other minor Chiefs, so far north as to the Vaal River, and east to Drakensberg or Quathlamba Mountains, with no desire or inclination whatever on the part of Her Majesty to extend or increase her dominions, or to deprive the Chiefs and their people of the hereditary rights acknowledged and recognized by all the civilized nations of the world as appertaining to the nomadic races of the earth; but, on the contrary, with the sole view of establishing an amicable relationship with those Chiefs, of upholding them in their hereditary rights, and protecting them from any future aggression, or location, of Her Majesty's subjects, as well as providing for their rule, and the maintenance of good order, and obedience to Her Majesty's laws and commands on the part of those of the Queen's subjects, who, having abandoned the land of their fathers, have located themselves

within the territories aforesaid : And I hereby proclaim that all the Chiefs of the territories aforesaid are under the sovereignty of Her Majesty as the paramount and exclusive authority in all *international disputes as to territory, or in any cause whatever tending to interrupt the general peace and harmony of South Africa, but that their authority over their own tribes shall be maintained, as well as their own laws, according to their customs and usages.*

“And I hereby proclaim that all Her Majesty’s subjects within the territories aforesaid shall be governed by the laws, ordinances, and proclamations framed, and to be framed, for Her Majesty’s Colony of the Cape of Good Hope, and that they shall henceforth be in full possession of the rights of citizens of the said Colony, and that municipalities, corporations, and other privileges shall be granted to them, as their increase and improvement may require.”

From this Proclamation it will be seen that, as regards the Natives, the sovereignty of Her Majesty was limited to international matters, but the British subjects (the white inhabitants) were to be governed by the laws and ordinances of the Cape Colony, and to be entitled to the same privileges as other subjects of Her Majesty living within the said Colony.

This state of things continued during the existence of the “Sovereignty,” from 1848 to 1854. The white inhabitants were ruled and governed as British subjects, the Native tribes were treated as independent communities or governments in all matters, except those of an international character, such as the land boundaries between them and the white inhabitants, and between the several tribes respectively.

At no time, either before or after the extension of Her Majesty’s sovereignty over the country, was land acquired from the Chief Waterboer ; nor does it appear from the records of this Government that, up to the date (February, 1848) of Sir H. Smith’s Proclamation, the territories of that Chief had been encroached upon. In a communication from Waterboer to the Governor of this Colony, dated 29th July, 1845, it is stated that no British emigrants had settled in his country ; and Sir P. Maitland, in a Despatch to the Secretary of State for the Colonies, written in the following year—after he had visited the country—also stated that Waterboer’s territories had not suffered any encroachment. During the existence of the Sovereignty, the surveyors employed by the British Resident

did encroach upon the territories in question to a small extent, and Waterboer, on becoming aware of it, proceeded to Bloemfontein, and remonstrated thereon with the British Resident; whereupon that officer issued instructions to the said surveyors to discontinue their surveys in that direction.

Waterboer, in his letter above alluded to, stated that his boundary on one side had been settled by Treaty between himself and Adam Kok; and, on referring to that Treaty, it is found that the boundary line runs from Ramah, on the Orange River, northwards to Platberg. That Treaty is dated 9th November, 1838 (more than nine years prior to Sir H. Smith's Proclamation of February, 1848), and the line therein described is that which Waterboer has ever since claimed, and the same that has since been proclaimed as the boundary of British Griqualand.

The Protest of the Volksraad, after asserting, as above mentioned, that the whole of the proclaimed territory was divided into four magisterial districts, etc., proceeds thus, viz. :—

“Of that proclaimed territory, a chart was made, which must still be found in the archives of the British Government, on which the said proclaimed territory was delineated as bounded by Vaal River, Orange River, and Drakensburg.

“In 1854, Her Britannic Majesty withdrew said sovereignty over this country, and a Plenipotentiary, Sir George Russell Clerk, commissioned by Her Majesty, addressed himself to the white inhabitants then dwelling in the territory, and urged it upon them to take over the government of that territory.”

If it is meant to imply that, when the sovereignty of Her Majesty was about to be withdrawn, and Sir G. R. Clerk was commissioned to arrange such withdrawal, he addressed himself only to the white inhabitants, and urged upon them to take over the government of the whole territory, it does not correctly represent what occurred.

Sir G. R. Clerk addressed himself not alone to the white inhabitants, but also to the Native Chiefs over whose territories the (limited) sovereignty of Her Majesty had been proclaimed; and what he desired the white people to do was, not to take over the government of the whole territory, but to take over the government of themselves, and of the lands occupied by them under the arrangements made by Sir H. Smith.

There is ample proof of this on record, but it may, perhaps, suffice to say that one of the main objections of the first "Delegates" from the white inhabitants elected to confer with Sir G. R. Clerk in respect to assuming their own government was the unsettled boundaries between them and the Natives.

On Thursday, the 8th September, 1853, the Assembly of Delegates resolved unanimously that the Committee of Delegates be "instructed not to entertain any proposals for the formation of an independent Government until" certain questions should have been "adjusted to their entire satisfaction."

The first and second of these "questions" were as follows, viz. :—

"1st. The settlement of the Griqualand question (referring to the Eastern Griquas under the rule of Adam Kok).

"2nd. The adjustment of the boundary line between the Basuto territory and the Sovereignty."

And the Committee of Delegates accordingly, at a meeting held on the 10th November, 1853, unanimously passed the following resolution, viz. :—

"That the Committee desire to bring to the notice of His Excellency the Special Commissioner that such dissatisfaction has been expressed by persons interested in the settlement of the boundary line with Moshesh at the absence of any public notice in the *Gazette* of the appointment of a commission for that purpose; and would respectfully request that, on the occasion of the consideration of similar public questions in the future, His Excellency may be pleased to give due notice of such intention."

And the same Committee, on the following day (11th November), unanimously carried the following resolution, viz. :—

"That this Committee beg Her Majesty's Special Commissioner to adopt some protective regulations in behalf of Her Majesty's subjects inhabiting the territory of Captain Adam Kok, on the ground that this Chief cannot or will not maintain that order among his subjects which Her Majesty's subjects have a right to expect, in accordance with the 19th and 24th articles of the Treaty with that Chief; and, further, on the ground that no redress is obtained for grievances when brought before this Chief under the above-named articles of the Treaty."

It should be observed that the Treaty or Convention in

question is made, not with the inhabitants of the territory, but with Delegates from the white inhabitants of Bloemfontein, Smithfield, Sannahspoort, Winburg, and Harrismith, all of which localities were within the limits of the territory assigned to those inhabitants, and did include that of Waterboer or that of the other Native tribes.

That the white inhabitants fully understood what was the true state of the case, is further exemplified by their own proceedings, immediately after having taken over the powers extended to them by the Special Commissioner. The first President of the Republic, Mr. Hoffman, upon taking office, sought interviews with the Native Chiefs, with a view to entering into Treaty arrangements with them; and conferences were held between him and Moshesh, and between him and Adam Kok, when the following preliminary arrangements were arrived at:—

At a conference with Moshesh on the 16th and 17th August, 1854, various questions as to robberies of stock by Basutos were dealt with, and satisfactorily disposed of; the assent of Moshesh was obtained to an arrangement that “no Native should be allowed to enter the Free State without a printed pass, signed by one of the missionaries;” and it was amicably agreed that the land boundary question should await settlement until the orders given respecting the robbery cases had been carried out.

The conference with Captain Adam Kok was authorized by an unanimous resolution of the Volksraad, and took place on the 28th September, 1854. On that occasion, the President of the Free State stated it to be “his own, as well as the general wish, to live on terms of friendship and peace with the Griqua Nation;” and Captain Kok represented that “it was his desire, and that of his people, not to sign a formal Treaty until reference should have been first made to Her Majesty’s Special Commissioner, whether he would still consent to ratify the scale of compensation for farms in the Alienable Territory, proposed by him a few weeks since;” and Mr. Hoffman, at the request of the Griqua Chief, promised that he and the Volksraad would assist in obtaining His Excellency’s consent to the arrangement. An adjournment of the conference took place until the 29th September, on which date it was agreed (1) that a limited supply of ammunition should be furnished to Captain Adam Kok, “pending the conclusion of a Treaty between him and the Free State;”



(2) that Captain Adam Kok should undertake to settle the boundary lines between Cornelis Kok, Waterboer, and the Free State, and report the result to the Free State Government; and (3) that Captain Adam Kok should render the Landdrost of Fauresmith all the assistance in his power as regarded the settlement of disputed land claims within the so-called Inalienable Territory.

Mr. Boshof, the second President, also gave his attention to the same questions, and in a letter to Sir George Grey, the Governor of this Colony, dated the 13th June, 1856, stated that, in pursuance of the desire of the Volksraad, the Chief Adam Kok had undertaken to lay down and define the boundary lines between his own territory, that of N. Waterboer, and that of C. Kok; and that the result of Adam Kok's decision was that "Waterboer's line, as thus defined, cut off several farms which had been sold by subjects of the two Koks to burghers of the Free State," thus confirming the previous recognition of the independence of the Natives.

In further proof of the admission by the Free State Government that the lands claimed by Waterboer between the Vaal River and the line from Ramah to Platberg were, at the time of the Convention with Sir G. R. Clerk, beyond the limits of the territory which the white inhabitants at that time possessed, it may be mentioned that from 1854 to 1858, lands within those limits were professedly alienated, both by grant and sale, by a Griqua named Cornelis Kok, who is represented by the Free State Government itself to have been an independent territorial Chief; but this is denied by Waterboer, who states that, although the said C. Kok was at one time a petty officer under his Government, he had been removed from office for misconduct long before the land transactions in question, and had at no time had the power to dispose of Griqua territory.

These facts conclusively establish the position which was laid down in an earlier part of this Memorandum, viz. that the British Government had not acquired and did not possess lands within the boundary claimed by Waterboer, and that it only ceded or purported to cede to the white inhabitants those lands which it did possess. The question then arises, What is the boundary of Waterboer's territory on the side of the Orange Free State? And that boundary, as already stated, was defined by

Treaty between the two branches of the Griqua Nation in 1838, to run from Ramah, on the Orange River, northwards to Platberg. The Free State Government disputes this line, and declares, as a boundary between Griqualand West and that State, a certain other line denominated the Vetberg line, which, instead of running, as the former line runs, parallel to the course of the Vaal River, cuts at right angles to it, and gives to the Free State a very extensive tract of country claimed by Waterboer as belonging to his territory. Waterboer has always been willing and anxious to settle the question of right to the tract of land in question by arbitration, but could never obtain the consent of the Free State Government to submit its claim to such an ordeal. And the British Government, in notifying to that of the Free State its accession to the prayer of Waterboer and his people to be received as British subjects, intimated its willingness to allow the question of boundary to be still the subject of decision by arbitration; and that offer is still open.

With reference to the allegation contained in the Protest, that the Native tribes by which the white inhabitants were surrounded had been rendered the enemies of the latter by reason of wars waged upon them by the British Government, it may distinctly be stated that nothing could be more at variance with the true history of the country than such an assertion as this.

The Native tribes with which the people of European extraction were brought into contact were those already mentioned; and with none of those tribes had war ever been waged by the British Government, but, on the contrary, the most friendly relations had been maintained, and continued to exist at the time of the withdrawal of Her Majesty's sovereignty.

The action taken on two occasions by the British Resident, Major Warden, who deemed it necessary to interfere in certain tribal disputes, cannot be considered as having to any appreciable extent disturbed those amicable relations, much less to have involved the white inhabitants, seeing that, with the exception of a single small detachment, they took no part in the proceedings. And with regard to the brief interruption of friendly relations with the Basuto Chief Moshesh, which lasted but a few days, it should be stated that the employment of force was resorted to for the recovery of a certain number of cattle which the white inhabitants alleged had been stolen from them by the

Basutos, and that the misunderstanding terminated in a Treaty amply renewing the friendly relations which had always previously existed. No disturbance of those relations ever again occurred; and so far were Moshesh and his people from cherishing any unfriendly feeling against the British Government that, in 1869, the Basutos were, in compliance with their own urgent and long-continued appeals to Her Majesty, through the Government of this Colony, received as British subjects.

This is the true state of the case as regards the British Government and the Native tribes environing the white people; but the same friendly relations had not existed between those tribes and the white people themselves, as will be apparent from a consideration of the following circumstances:—

Up to the year 1844, there had been frequent complaints from the Griquas of East Griqualand, addressed to the Government of this Colony, against the British subjects who had taken up their abode in that country, as already mentioned; and the successive Governors respectively issued proclamations and public notices warning those subjects against so misconducting themselves, as the following extracts from their proclamations will show:—

Extract from Sir George Napier's Proclamation of the 3rd November, 1872:—

“And I further warn all such subjects as aforesaid against all invasions of, or aggression upon, the territories or persons of any Native tribes or rulers. And in order more fully to impress all parties concerned, with the determination of Her Majesty's Government to discountenance to the uttermost all such unjust invasions or aggressions, I have caused to be subjoined hereunto a copy of my Proclamation of the 7th day of September last, including certain additions made thereto on the recommendation of His Honour the Lieutenant-Governor.”

Extract from the subjoined Proclamation above mentioned:—

“I do hereby proclaim and make known to all such emigrants as aforesaid, and more particularly to those residing in the vicinity of the Chiefs above mentioned,”—viz. Moshesh, Moroko, Lepuy, Karolus Baatje, Barend Barends, and Adam Kok,—“that Her Majesty will regard with the liveliest indignation any attempt upon the part of any of her subjects to molest, invade, or injure any of the Native tribes, or to take or maintain unlawful possession of any of the lands to these tribes belonging;

that, by any such attempt, the offending parties will forfeit all claims to Her Majesty's protection and regard, and be held by her to have placed themselves in an attitude of resistance to her will and authority, and will inevitably expose themselves to all the penal consequences which may, by force of the Act of Parliament in that case made and provided, attend upon any criminal acts which may be by them committed."

Extracts from Lieutenant-Governor Hare's Declaration, dated at Colesberg, the 2nd January, 1843 :—

"Information had been received by Government that a body of emigrant farmers, chiefly, if not wholly, composed of those who, at Alleman's Drift, had, some time previous, renounced their allegiance to Her Majesty, had recently assembled near Philippolis, with the apparent intention of attacking and destroying the Chief Adam Kok and his people—had actually seized upon and forcibly possessed themselves of a quantity of firearms, the property of Griqua subjects, and had, in a most wanton, cruel, and insulting manner, devastated their fields of corn when ripe.

\* \* \* \* \*

"Such unjust and lawless proceedings on the part of Her Majesty's subjects have imperatively called for the instant interference of the Government, and the Lieutenant-Governor has come himself to the northern border, with a large force of Her Majesty's troops, with a firm determination of putting a period to the lawless state of society existing beyond the boundary, and to the constant disorders created by those of the emigrants who have withdrawn themselves from their allegiance to their lawful Government, by enforcing unconditional submission to the Government and the laws from every British subject beyond the boundary."

Notwithstanding these commands, those subjects of Her Majesty proceeded, in 1844, to attack the Griquas, and British troops were sent to the scene of action to protect the natives ; and at a later period (in the year 1848), when a large number of the white people openly rebelled against the authority of the British Government, the Chief Adam Kok, at the head of several hundreds of his people, joined with and aided the British troops in quelling the rebellion, and Moshesh and other chiefs expressed their willingness to do the same if their services were required.

It will thus be seen that, up to this period (1848), so far

from the Natives being enemies of the white inhabitants because of wars waged upon them by the British Government, the reverse was the case, the wars being waged by those white inhabitants, and the British Government having actively aided the Natives to protect themselves from those attacks.

As regards the charge that the Convention of 1854 had been infringed by the action taken by the British Government in prohibiting the "free transit" of ammunition, although solemnly bound by an article of that Convention to allow it, it should be observed that the stipulation of that Convention on this subject stands as follows, viz. :—(Article 8) "The Orange River Government shall have freedom to purchase their supplies of ammunition in any British Colony or possession in South Africa, subject to the laws provided for the regulation of the sale and transit of ammunition in such Colonies and Possessions."

The laws and regulations referred to in this Article provide that all persons desiring to purchase arms and ammunition must, before doing so, obtain permits from certain officers in the district in which the purchase is to be made, and no ammunition beyond a limited quantity can be conveyed from one part of the Colony to another, or beyond the boundaries of the Colony, unless the person conveying it provide himself with a similar special permission.

The object for which these laws were enacted was to prevent arms and ammunition from getting into the hands of those who, it might be thought, would be likely to make use of the same in a way adverse to the interests of the Colony.

At the commencement of the *last* war between the Orange Free State and the Basutos, the Governor of the Colony, Sir P. E. Wodehouse, issued a Proclamation commanding all British subjects to abstain from taking part in that war on either side, and, in fact, to observe a strict neutrality. During the progress of the war, it was reported in the newspaper published at Bloemfontein, the seat of the Free State Government, that an officer of that Government was in communication with British subjects, and endeavouring to induce them to raise levies within the Colony to take part with the Free State against the Basutos,—holding out the inducement that all stock or other property which they might succeed in taking from the Basutos should be retained by them as compensation for their services; and the

same paper stated that this conduct on the part of the Free State officer was approved of by his Government. Upon the Governor of this Colony becoming aware of this transaction, he addressed a friendly remonstrance thereon to the President of the Free State. Correspondence ensued, and was continued during several months, in the course of which the Governor warned the Free State Government that, if it persisted in its endeavours to induce British subjects from this Colony to become freebooters on its side against the Basutos, it would become his duty to consider whether he would be justified in permitting this Colony to continue the supply of ammunition for carrying on such a war. The correspondence on the Free State part being unsatisfactory to His Excellency, he directed the officers, who were by law authorized to grant permits for the purchase of arms and ammunition, to discontinue, until the receipt of further orders, their issue in favour of the Free State Government.

From a consideration of the foregoing remarks, it will be perceived,—

Firstly. That the allegations of the Free State Volksraad, as contained in the Protest under review, are based upon an entirely erroneous construction of the actual history of the country, as the “large tract of country to the south of the Vaal River,” which the Volksraad claims as having been “for a long course of years governed by the Orange Free State, and the property of, and inhabited by, Free State subjects,” was, beyond question, prior to the issue of Sir H. Smith’s Proclamation, the property of the Griquas of Griqualand West; did not by force of that Proclamation cease to be their property; and has never at any subsequent date been alienated by their Government;

Secondly. That Her Majesty’s Special Commissioner, Sir George Clerk, in ceding to the white inhabitants the lands to the north of the Orange River, which belonged to the British Government, did not cede, or profess to cede, any portion of the territory of the Chief Waterboer; and that the Government of the Orange Free State, at the beginning and during the earlier period of its existence, well understood that the term “Sovereignty,” under the British rule, and the term “Orange Free State,” under the rule of the Government of that Republic,

did not comprise the territories of the Native tribes by which the white inhabitants were surrounded; and

Thirdly. That the temporary refusal of permits to the Free State Government for the purchase of supplies of ammunition arose from special circumstances, which, in the judgment of the then Governor of this Colony, rendered it imperative upon him to take immediate measures to prevent the misuse of the privilege in question.

In conclusion, it may be added that much of the land in dispute was, at the date of Sir Henry Barkly's Proclamation, the property of and held by British subjects and subjects of other European States, and had never, at any previous time, been the property of subjects of the Orange Free State, and that the attempt on the part of the Free State Government to assume rule and jurisdiction over that tract of country must be held to have been an usurpation of the rights of an independent Native Government, too weak to resist that usurpation by force of arms. The knowledge of this, and of the yet more extensive act of encroachment which the Governments of the Orange Free State and the South African Republic were adopting means to accomplish, by which a large portion of the territories of the Griquas and other Natives, within which a great and increasing number of British subjects were located, were to have been appropriated by those States, compelled the Government of this Colony to interfere, to prevent the said British subjects from becoming parties to aggressions on Native tribes with which this Government had ever been on the most friendly terms.

The right to possession or occupation on the part of the Free State has from the first been denied by the Chief Waterboer, and that Chief has, throughout the dispute, endeavoured to induce the Free State to consent to a settlement by means of a fair and honourable arbitration. The Free State Government has, however, persistently declined to submit its asserted rights to the ordeal of any practicable arbitration; and the endeavours of the Colonial Government, which has constantly urged upon the Free State the propriety of settling the matters in dispute in the manner proposed by Waterboer, have hitherto been without effect.

R. SOUTHEY, Colonial Secretary.

Colonial Office, 22nd April, 1872.

## APPENDIX E.

### TRANSVAAL—PROPOSAL FOR BRITISH IMMIGRATION.

#### MEMORANDUM.

THE armed opposition to British rule in the Transvaal, the natural outcome of the way in which that country was taken possession of in Her Majesty's name three years ago, and since attempted to be governed without the existence therein of an adequate coercive force to ensure obedience to law on the part of the large majority of the inhabitants, and the certainty that if Her Majesty's Government adheres to their resolution to hold that country as a British possession a large military force must be maintained there for many years at a very heavy expense to the Imperial Government, unless some means can be devised by which to neutralize and render comparatively harmless the discontented element, at present much too powerful in that fine country, render it desirable to consider what means are practicable to accomplish that end.

Under these circumstances I venture to place on record some thoughts and suggestions which, if acted upon, would, in my judgment, change that country from a source of weakness into one of strength as a part of Her Majesty's colonial possessions, and would also tend to diminish the difficulties at present in the way of a federal union of the several South African colonies.

There is a large extent of unoccupied land in the Transvaal, very little, I believe, belonging to the Crown, but much of it belonging to persons who have accepted grants on condition of paying to the Government an annual quitrent of thirty shillings per farm of three thousand morgen (six thousand acres), that mode of raising a revenue out of which to defray the moderate cost of their system of Government having been the most popular



mode with the people. No (or very little) difficulty was experienced in the acquisition of as many farms as a person who had become a "burgher" of the State was willing to pay the quitrent for. Hence, as I have been credibly informed, there are persons possessing a hundred or more farms, and others from ten to fifty, nearly all of which are practically unoccupied.

One effect of this system of disposing of Government lands has been to keep the price of unoccupied lands at a very low rate, and farms of 6000 acres have frequently been sold at merely nominal sums, £25 to £50. No doubt prices even of such lands, have risen considerably since the country came under Her Majesty's rule; but in all probability they will fall again as a consequence of the rebellion, as many owners of lands are likely to quit the country.

These circumstances are favourable to the introduction of emigrants from Great Britain on an extensive scale, and if a scheme were devised by means of which a large number of English farmers could be placed in the occupation of lands in the Transvaal as the owners thereof, the maintenance of a large military force there would soon become unnecessary.

The land in many parts of the Transvaal is admirably adapted for agricultural farming, and wheat and other cereals grow luxuriantly upon it, as do also root crops, fruits, and vegetables of all kinds. The great drawbacks in the way of successful agricultural farming heretofore in South Africa have been unsuitability of soil in some parts, the scarcity of centres of population as markets where supply would not soon exceed demand, the consequent great distances that agricultural produce had to be conveyed before it found a profitable market, the bad roads, and the expensive mode of transport rendered needful in consequence. The existence of these hindrances has induced owners of land to turn their attention more to grazing than agriculture, and latterly in particular to ostrich farming.

For ordinary grazing purposes—where the stock consists of horned cattle, sheep, goats, and horses, all dependent upon the natural herbage—large extents of land are needful. For ostriches much smaller extents will suffice; and ostrich farming, having become a settled and a profitable industry, affords an opportunity for persons to farm successfully upon much less land than was formerly absolutely needful.

The Transvaal abuts upon Natal, the Orange Free State, and Griqualand West, none of which produces sufficient grain and other farm produce for their consumption; and in Griqualand West in particular, the demand at all times has been largely in excess of the supply, and prices have in consequence ruled exceedingly high. Heretofore supplies have been drawn to the diamond fields (Griqualand West) mainly from the Transvaal, Basutoland, and one or two of the north-eastern districts of this Colony, but, as before said, in insufficient quantities.

The Cape Colony does not produce bread stuffs sufficient for the consumption of its people, and large importations of wheat and flour are annually made from Australia, America, and other countries. If, therefore, measures can be adopted for securing a more extensive cultivation of the parts of South Africa adapted to the production of wheat, a general public benefit will result therefrom.

The introduction of some thousands of emigrants from Great Britain into the Transvaal, and their location in well-selected parts of that territory upon sufficient land, to enable them to farm profitably, would, in my opinion, be the best and readiest means of accomplishing so desirable an object.

The Transvaal is rich in mineral wealth—coal, lead, with various percentages of silver, gold, etc., have been found in considerable abundance—but the great bulk of the population being persons who care little about anything but stock farming, no great advantage has as yet been derived therefrom. A well-conducted stream of immigration into the country would soon lead to the development of these rich deposits of natural wealth. In the first instance, however, I should deem it essential to success that immigration should be restricted to persons accustomed to agriculture. From them would grow up those who would take the initiative in regard to the natural deposits.

Immigration into the country to be a success in the accomplishment of the objects I deem to be essential, politically, and in the utilization of the at present unproductive lands, should be on a large scale, and the emigrants should be carefully selected and properly placed. They should, in my opinion, be married couples, with or without families, the preference being given to those with families. Unmarried persons would not be suitable.

The heads of the families should not be over 40 years of age. It would of course be desirable that the immigrants should possess some means of their own wherewith to support themselves for the first year, to purchase needful articles for household use, agricultural implements, etc., but the amount need not be large if the emigrants are of the right sort.

Besides having to procure some household furniture, etc., the immigrants would require house shelter. This could be constructed by themselves—in this climate very slender shelter suffices to satisfy absolute wants—and materials sufficient for the purpose would be procurable on their own ground.

I assume that if the Government held out the inducement to such emigrants as I have suggested, that on their arrival in the country they would at once be placed upon a farm of from one to two thousand acres in extent, according to the capabilities of the land, and that the land should become their own upon the fulfilment of certain easy conditions, which I will presently describe, there would arise a large number of applicants from which to select the number required.

I propose that the number of families should be five thousand, and that they should be sent out in batches to be regulated by the means available for transport from port of debarkation to their locations in the Transvaal. The port or ports of debarkation should be those from whence transport to the several localities in the Transvaal can best be made available. Transport will be expensive, and on that account it may perhaps be needful that, in the first instance, the Government should advance the money to defray the cost, though I am of opinion that if the offer of land be made on a liberal scale, some persons may take advantage of it who are able to pay their own way. I presume that all would be able to pay for their passages by sea in suitable ships to be chartered by Government.

In an undertaking of this kind the first thing needful will be money. That should be obtained by the Government of the country by the issue of debentures, which debentures should, I think, be issued under the guarantee of the Imperial Government, so that the rate of interest to be paid to the lenders might be low, say 4 per cent. The amount required would depend upon the extent of land to be purchased and the expenses to be incurred. I have said the extent of land to be allotted to each

head of family should be from one to two thousand acres. At an average of 1500 acres to each of the 5000 immigrants, the extent of land required would be 7,500,000 acres. The amount of money needful to purchase that extent of land, supposing the price to be paid to be at the rate of £100 for 2000 acres, would be £375,000. Suppose the transport to cost an equal sum of £100 per family, and that a like amount should be found requisite for the purchase of articles wherewith to commence life in the new country, that would raise the whole amount to be advanced to £1,375,000; and if the Imperial Government were to obtain a vote for it and make a free grant of it for the object proposed, it would be money well spent, and would be repaid to the nation over and over again within a few years in indirect ways—such as the saving of military expenditure, increased trade, etc., etc. That, however, is not my proposal. My proposal is that the money should be repaid by the immigrants.

If the full amount of £1,375,000 should be required it would be £275 per family. The interest on that, at 5 per cent., would be £13 15s. I think the immigrants might fairly be required to pay 1 per cent. more than that to be paid on the loan by Government, and that this difference might be used to cover expenses of agencies, etc., in connection with the purchase of land, the selection of emigrants in England, superintending their location, and such like; or if the money cannot be raised under the guarantee of the Imperial Government, and therefore not at a lower rate than 5 per cent., and that in consequence the immigrants should have to pay 6 per cent., the annual amount to be paid by each family for interest would be £16 10s. I propose that they should pay interest at the rate of 5 or 6 per cent., as the case may be, and a further sum of £10 per annum, at least, in reduction of the capital. Suppose each family to have to pay £30 per annum for interest and in reduction of capital. I consider that if the emigrants are properly selected, and are consequently steady and industrious people, they would after the first year be *well* able to do this. They would also have to pay the annual quit-rent, which, reckoned at the rate of 30s. per annum on 6000 acres—the ordinary rate now paid by resident proprietors—would, on 1500 acres, amount to 7s. 6d.; add 2s. 6d. for stamp on receipt, and you have 10s. to be paid annually under that head. There is also a small amount leviable on landed proprietors for “ railway

tax," for a supposed line to be some day constructed to connect the Transvaal with Delagoa Bay. That, under the now altered circumstances of the country, should no longer be collected, and the idea of constructing that line should be abandoned : however, if continued, 20s. per annum on 1500 acres would cover all the taxes that land in the Transvaal is subject to.

As I have before said, the main obstacles in the way of extensive cultivation in this country have been unsuitable soil for the production of wheat in some parts, scarcity of markets within reachable distances from other parts where the soil is suitable, bad roads and difficulties of transport, and the preference which a large proportion of our farming population have for a pastoral life. Many of these hindrances, and in time all, would be overcome if a large number of English emigrants, properly selected, were brought into the Transvaal, for lands adapted to the cultivation of wheat in particular would be selected for locating them on, and they would themselves accomplish the rest.

Before long a railway would become indispensable between Griqualand West and the Transvaal, and would be undertaken partly by the Cape and partly by the Transvaal Governments, each within its own boundaries ; but before that, if wheat in large quantities and at moderate prices were procurable at one or more central positions in the Transvaal, companies or individuals other than the immigrant producers would manage the transport, and sales would be made on the spot.

As regards a railway, I should mention that between Griqualand West and the Transvaal there is an intervening space of Native territory under the Keate award, but there would be no difficulty in obtaining as much of it as might be needed for railway purposes. There are no engineering difficulties to be encountered between Kimberley and Potchefström, neither would there be between any other parts of Griqualand West and the Transvaal—supposing a line from Kimberley to Potchefström not to be the most desirable one for accomplishing the object aimed at. The distance between those two places is under 250 miles, the country for most part level or slightly undulating.

The Cape Colony is certain to carry its western line of railway, which now extends from Capetown to Beaufort West, on to Kimberley, so that in the course of a few years we should have railway communication from Table Bay into the heart

of the Transvaal, which would open up a vast trade and develop resources which people at present little dream of. There is an abundance of coal in the Transvaal, while at present fuel is very scarce and enormously dear at the diamond fields, where it is required in large quantities.

The foregoing was written at Capetown when the Transvaal Boers were in open rebellion, with the intention of being sent to Sir George Colley if he succeeded in forcing his way through the mountain barriers between Natal and the Transvaal, and re-established Her Majesty's authority in the latter territory. Under the now existing altered circumstances it would not be practicable, of course, to act upon the suggestions within the Transvaal, but it might not be impossible to acquire suitable lands from the Natives whose territories abut upon the western and north-western boundaries of it. I am disposed to think that the Natives would gladly do all they could to encourage the formation of a British settlement between them and the Transvaal. Some years ago Montsioa (the Baralong Chief) offered to give me "a fountain" with a considerable tract of territory around it, his object being to check encroachments from the Transvaal people.

R. SOUTHEY.

London, April 19, 1884.

The last paragraph was written on the date above, when I sent a copy to Lord Carnarvon.—R. S.

## APPENDIX F.

### GLEN GREY.

THE Native location known as Glen Grey—in the Queens-town division—was a portion of Tembuland from a period far beyond the memory of the oldest inhabitants. Until some forty or fifty years ago, the boundary of this Colony was extended to the White Kei; this extension brought Glen Grey—a district thickly populated by Tembookies—within the colonial limits. A Resident Agent, the late Mr. J. C. Warner (who had previously been a missionary belonging to the Wesleyan body, and stationed in that neighbourhood) was appointed to reside among them, to represent the Government, and with the aid and co-operation of the Chiefs, to administer justice as best he could. This state of things worked fairly well for some years, but a circumstance occurred which made Mr. Warner desirous of removing, with his people, beyond the boundary of the Colony. He had been administering Kafir law, and inflicted a heavy fine, or some other punishment, on a man of some influence, who appealed to, or brought the case under review of “the next ensuing Circuit Court,” when the judgment of “the Court below” was reversed, and Mr. Warner admonished by the Circuit Judge (believed to have been the late Mr. Justice Watermeyer), and cautioned against applying Kafir law to people resident in the Colony, for by so doing he might get himself into serious difficulties. This alarmed Mr. Warner, and set him on the look-out for an opportunity of moving with his people beyond the Colonial border, and in course of time such an opportunity appeared to have arrived. Mr. Warner believed it to be impossible to manage the people effectually if the laws of the Colony must be adhered to, and that for many years the Native laws should be applied, hence his anxiety to move them

over the border. During Sir George Grey's period of Government, the Amagaleka and the Amaxosa Kafirs—*i.e.* the Kafirs occupying the country between the Keiskama and the Bashee Rivers, from the sea upwards to Tambookie land—instigated thereto by one of their prophets, who again was supposed to have been put up to it by the Chiefs, with a view to bringing about a war with the Colony, destroyed their cattle and grain, and other means of livelihood, and brought things to a state bordering on war. Kreli, the great Galeka Chief, and his people were believed to be at the head of this movement, and Sir George determined to nip it in the bud by driving them out of their country between the Kei and Bashee Rivers, to beyond the latter, and to keep them there. Sir Walter Currie, Commandant of the Frontier Armed and Mounted Police, was instructed to carry this out by means of his force and such volunteers as he could induce to co-operate with him. This duty he accomplished, and among those who aided and assisted him were many Tambookies, both from Glen Grey and from the main body of Tambookies beyond the Kei; thus the whole country, theretofore owned and occupied by the most powerful and most dangerous of the Kafir tribes, became depopulated, the people being forced over the Bashee into Bomvanaland; and one or two police stations were established near the Bashee to keep it so until the Governor could devise measures for occupying it by a less dangerous population. Before Sir George could accomplish this he was called away to New Zealand, where serious troubles had arisen, and was succeeded in the Government here by Sir Philip Wodehouse. This change of Governors caused delay, but ultimately it was decided to divide the country into farms, and to allot them to farmers, as had previously been done in the Queenstown, Peddie, and Victoria East Divisions, provided that the Imperial Government would contribute annually, for a certain number of years, a portion of the expense to be incurred for the maintenance of a police force, to be stationed on the border between the farmers and the country into which Kreli and his people had been driven. This was considered an essential part of the plan, the force to be maintained there until the farmers became strong enough to hold their own. The Imperial Government agreed to this, and matters appeared to be progressing favourably up to 1864, when the



Parliament sat in Grahamstown. At this time Commandant Bowker, who had from the first been in command of the police force in the Transkei, was called to Grahamstown to confer with the Governor on various matters respecting the country which he had been keeping unoccupied, and he had not been long there before an express arrived bringing a letter from the officer in command during his absence, reporting that he had received information from a member of their "Intelligence Department," who had been beyond the Bashee, that Kreli intended to attack their post on the day following that on which he wrote, and to repossess himself of his old country. This letter was at once submitted to the Governor by Sir Walter Currie and Mr. Bowker, and after consultation between them and General Sir James Jackson (the Lieutenant-Governor and Commander of the Forces), orders went off to all the police-stations to move every available man to the front, and Sir Walter Currie and Commandant Bowker left next day to join them, and on arrival at the principal police-station near the Bashee found things much as they were when Mr. Bowker left. No attack had been made, nor any movement indicating more danger than had previously existed. Of course, this movement was soon pretty generally known, and there were men in Grahamstown who did not believe that what Kreli was alleged to have said implied an intention of making an immediate attack, but that he hoped to be able to do so some day, and was on the watch for a favourable opportunity. Unfortunately, however, the day on which the report was received happened to be English mail-day, and before these views could be brought to the Governor's notice, Despatches had gone off conveying the intelligence to the Home Government; and it was not long before replies were received intimating the cancellation of the agreement to contribute a portion of the cost of an effective police force, and leaving the Government here at liberty to adopt some other course than the one contemplated for filling up the vacant territory. There was now only a choice between two evils. It was not deemed safe to endeavour to keep the country unoccupied much longer by means of the small police force that could be spared for it, and either Kreli and his followers must be allowed to return to it, or some other natives must be located there. The latter course was deemed the most desirable; but then, what Natives? became the question. Mr. Warner

pleaded strongly in favour of Kreli being allowed to re-occupy a portion of it, not so much out of commiseration for him and his people, but to relieve the Amabomvanas from the overcrowding of their country occasioned by Kreli and his followers having been forced in among them. The Government was aware of this overcrowding, and had endeavoured to induce Kreli and his people to move further on in the direction of Kokstadt, but this they declined, so it was ultimately decided to divide the territory between the Kei and Bashee into three portions; to allow Kreli to re-occupy the lower portion from the sea upwards, to place Fingos in the middle portion, and Tambookies in the upper portion. And now came, as he thought and hoped, Mr. Warner's opportunity to remove the Glen Grey people over the border. He obtained the Governor's sanction for it, provided they consented to do so, but there was to be no compulsion. Before that sanction was given he was asked pointedly, "Will they ALL go voluntarily?" He said they would, and he thoroughly believed it. But he ultimately found they would not, and he recommended the application of force, which was refused. It was left to Mr. Warner to arrange with Kreli and his people to re-occupy the lower portion of the territory, subject to certain conditions; and with the Glen Grey and other Tambookies, the upper portion; while to Sir Walter Currie was allotted the duty of collecting Fingos from the Peddie and Victoria East Districts to occupy the middle portion. With these also no compulsion was to be used. These duties were carried out satisfactorily, except with regard to the Glen Grey people. It was a mistake ever to have supposed that all of them would go, for there were among them a goodly number who preferred Colonial to Kafir law.

R. SOUTHEY.

## APPENDIX G.

### GOVERNMENT NOTICE.

IN refutation of the many inaccuracies and errors occurring in the Memorandum, mentioned in the Government Notice No. 221, dated 25th April, 1872, signed by the Colonial Secretary of the Cape Colony and published in the *Government Gazette* of the Cape Colony of the 29th April, 1872, the State President has been pleased to publish the following reply for general information:—

By command of the State President,

F. K. HÖHNE,

Government Secretary.

Government Office,

Bloemfontein, 10th June, 1872.

### REPLY.

The Memorandum of the Government of the Cape Colony commences with a summing-up, according to their views and in their words, of the grounds and arguments mentioned in the Protest of the Volksraad of the Orange Free State, issued on the 4th December last, against the forcible seizure by Her Britannic Majesty's High Commissioner of the territory which had, for a series of years, been under the jurisdiction and authority of the Government of the Orange Free State; but it contains only a partial statement of these grounds and arguments.

It entirely omits to state and makes no mention whatever, that besides the argument, drawn from the fact, that the authority and jurisdiction of Her Britannic Majesty over the territory known as the Orange River Territory, and situated between the Orange River, the Vaal River, and the Drakensberg, was proclaimed by Proclamation of the 3rd February, 1848, and that the government over that territory was made over by the

Convention of the 23rd February, 1854, to the representatives, deputed for that purpose by the inhabitants of that territory;—there are many other arguments advanced in the Protest, viz. that Her Britannic Majesty's Government issued between the years 1848–1852 no less than thirty-three British land certificates to white persons, then in possession and occupation of the lands, within the territory now—after the discovery of diamonds—for the first time claimed by Her Britannic Majesty's Government, on behalf of Captain N. Waterboer, and afterwards forcibly seized by them; and that by Article 4 of the Convention of the 23rd February, 1854, it was stipulated by Her Britannic Majesty's Special Commissioner, that those persons should be guaranteed in the possession thereof; that the Vetberg line, made by Captain A. Kok in 1855, was accepted by the Government of the Orange Free State in 1856, under condition that the owners of lands, over that line, for which three British land certificates had been issued, should remain in the undisturbed possession thereof and continue under the jurisdiction and authority of our Government; that this was communicated to Her Britannic Majesty's then High Commissioner, Sir George Grey, who expressed his gratification at the satisfactory settlement of the Griqua boundary line; that since that time the proprietors of farms, within and on the Vetberg line, have, partly upon British and partly upon Orange Free State titles, remained in the possession thereof, and under the jurisdiction of the Government of the Orange Free State; and that in 1870, after the discovery of diamonds, the same tract of country,—in which, between the years 1848–1852, British titles had been issued,—was first proclaimed and afterwards forcibly seized as British territory, from which the Government of the Orange Free State, in order to avoid hostile collision with Her Britannic Majesty's Government and that of the Cape Colony, withdrew under Protest.

And with reference to the alleged inconsistencies, which are supposed to occur in the Protest, and the allegation that the Orange Free State cannot found its claim to jurisdiction and ownership of the grounds, of which forcible possession has been taken by Her Britannic Majesty's High Commissioner, both on the Convention of the 23rd February, 1854, and on the agreement concerning the Vetberg-line, it is clear, that there exists no inconsistency whatever. For by the Proclamation of the 3rd

February, 1848, Her Britannic Majesty's authority was proclaimed over the grounds between the Orange River, the Vaal River, and the Drakensberg, under the name of the Orange River Territory; and by the Convention the government of that territory was transferred to the white inhabitants. Her Britannic Majesty's Government is bound by that Convention, and cannot, according to justice and equity, maintain as against the Orange Free State, eighteen years after the making of the Convention, that they are not bound by the description of the territory which was transferred; and the fact that the Government of the Orange Free State did, after the making of the Convention, for the sake of promoting a good understanding, enter into an agreement with Captain N. Waterboer, by which he was allowed to exercise jurisdiction and authority within the limits fixed by the agreement about the Vetberg line, contains nothing inconsistent with the above-mentioned. For it was perfectly competent to the Government of the Orange Free State, for the sake of peace and tranquillity, and a good understanding with the Natives, to abandon a part of the rights acquired by the Convention of 1854: and the same also applies to the reasoning occurring in the Memorandum concerning the Basutos; for as no titles had been issued by the British Government within the limits appointed by the British Resident, Major Warden, in 1849, for the Basutos and the small white population to whom the government of the Orange River Territory was transferred by the Convention of 1854, were only desirous to live in peace and tranquillity, and to till their ground, and did not care to exercise sovereignty over the lands, which were only inhabited by the Basutos, and to cause the same hostile collision with the Basutos as had taken place at Viervoet and the Berea, between Her Britannic Majesty's Government and the Basutos—a collision which had induced Her Britannic Majesty's Government in 1854, on account of the great expenses and difficulties connected therewith, to withdraw Her Majesty's Sovereignty from the Orange River Territory. Besides which, a war broke out in 1856 and 1858, between the Orange Free State and the Basutos, on account of the many robberies committed by the Basutos. This war was concluded by the Treaty of Aliwal, made on the 29th September, 1858, by which the line of Major Warden was appointed as the boundary line between the Orange Free State and the Basutos.

It is not necessary for the Orange Free State to justify and reconcile all the particulars in the Proclamation of Sir Harry Smith, of the 3rd February, 1848. It is sufficient to refer to the words of the then Attorney-General, Mr. W. Porter, in his opinion about the affairs of the Orange River Territory, given on the 29th March, 1849, § 6: "How far the issue of that Proclamation altered, at the moment, the legal character of the relations between the Natives and the Queen, it were perhaps inquiring too curiously to investigate."

The Protest of the Orange Free State only refers to the Proclamation with the view of showing that the territory, of which the government was transferred to them by the Convention, was bounded by the Orange River, the Vaal River, and the Drakensberg.

The allegation that Her Britannic Majesty's Government had no territory in 1854 between the Orange River, the Vaal River, and the Drakensberg, except what it had acquired by formal treaties from the Natives, and that that alone was transferred, is contrary to the Proclamation of Sir H. Smith, of the 3rd February, 1848, by which Her Britannic Majesty's Sovereignty was proclaimed over the territory to the north of the Great Orange River, including that of Moshesh, Moroko, Molitzani, Sinkonyella, Adam Kok, Gert Taaibosch, and other smaller Chiefs, as far north as the Vaal River, and east to the Quatblamba or Drakensbergen, which territory received the name of the Orange River Territory, and contrary to the Convention of 1854, by which the government of that territory was transferred to the above-mentioned delegates.

The Proclamation of Sir H. Smith, of the 3rd February, 1848, made a total change in the former state of affairs; and in that Proclamation Sir H. Smith says, among other things: "And I proclaim hereby, that Her Majesty's Government takes upon itself the responsibility to these Chiefs, concerning a fair compensation for all land now occupied by Her Majesty's subjects."

By virtue of the Proclamation of the 3rd February, 1848, Her Britannic Majesty's Government exercised supremacy over the Orange River Territory; this is confirmed by the Despatch of His Excellency Sir George Cathcart, to the Secretary of State for the Colonies, dated Fort Beaufort, 20th May, 1852:—

“SIR,—On the subject of the affairs of the Orange River Sovereignty, within that extensive district of country, nearly 1000 miles in circumference, embraced between the Orange and Vaal Rivers, with exception of the small insulated territory of the Griqua Chief Adam Kok, who, when a Border Chieftain, obtained a Treaty, duly ratified by Her Majesty, which secures to him certain independent rights; the whole population of European origin, as well as aborigines, are under Her Majesty’s government and protection.”

And the government of that territory was transferred by the Convention to its white population.

With respect to the accuracy of the history given in the paragraph, containing the words: “No white person,” and ending with the words: “leased from individual Natives,” it will be sufficient to refer to the second paragraph of the above-mentioned opinion of the then Attorney-General, Mr. W. Porter, where he says:

§ 2.—“Between the Orange River and the Vaal River, and bounded by the Drakensberg range of Mountains on the right, lies the new Sovereignty. About the year 1825, or perhaps earlier, Colonial cattle-farmers, suffering from the droughts too common in the Northern districts of the Colony, and tempted by the stronger springs and better *herbage* to be found beyond the Orange River, began to drive their flocks to the other side, in search of temporary pasturage. Little or no opposition to these movements was made by any parties claiming to be the owners of the soil. The regions to which the Colonists first resorted for grass and water could scarcely be said to have any actual possessors. The Bushmen, the true aborigines of the country, had either been exterminated or reduced to slavery, or hunted into holes and caverns in the mountains, by conquerors, partly Hottentots and partly Kafirs. The whole country was newly settled and thinly peopled.”

With reference to the alleged hereditary rights of the Griquas, we refer to §§ 4 and 5 of the Despatch of Sir H. Smith to Earl Grey, dated 20th January, 1851, where he says:

§ 4.—“I must here assure your Lordship that Adam Kok and his followers are mere squatters, and have no more hereditary right to the country in question than the Boers themselves, who have been in the habit, for many years, for the sake of pasturage, of driving their herds and flocks over the Orange River.

§ 5.—“After mature deliberation and having consulted with

Adam Kok, with the Boers, and with all the Native Chiefs, I proclaimed Her Majesty's Sovereignty, in order to establish a paramount authority in this debateable territory."

And to the opinion of the then Attorney-General, of the 29th March, 1849, already alluded to, where he says:

"Whether or not the Griquas were already in the country, which they now occupy, when the Boers first began to cross the Orange River, is a point which I heard fiercely disputed in 1845, when I was in Griqualand, in attendance upon Sir Peregrine Maitland.

"That this point should have been ever mooted, showed the recent origin of Griqua right."

The argument which is sought to be deduced from the Proclamation, with reference to the difference of government between the white population and the Natives, is answered by the then Secretary of State for the Colonies, in his Despatch of the 21st June, 1848, where he says:

"But this is a distinction which is, I apprehend, unknown to English Law, and could not be established in a possession of Her Majesty, unless, indeed, by legislative measures, expressly taken for the purpose. Wherever Her Majesty's Sovereignty is proclaimed, all inhabitants of the region over which it is proclaimed become Her subjects, and become moreover subject to English law, in the absence of regular laws of their own, unless special provision be made to exempt them from it. Nor is this rule without practical application and importance, since the difficulty arising from the collision between the British laws and Native usages might immediately arise unless care be taken to prevent it."

The contention in the paragraph beginning with the words, "At no time," and ending with the words, "to discontinue surveys in that direction," rests entirely and exclusively on the saying of Captain N. Waterboer; and it has already been shown in the letters of the State President that Captain N. Waterboer is contradicted upon almost every point by written and verbal testimony. The Government of the Orange Free State invites the proof, and emphatically denies, that surveys have been made, as alleged, in the grounds situate in the territory now claimed on behalf of Captain N. Waterboer.

It has already repeatedly been proved that Waterboer had no



lands within the Vetberg line; for between 1848-1850, thirty (30) land certificates were issued by the British Government to white persons, who were then in possession of lands between the Vetberg line and the land now claimed on his behalf, from Ramah to Platberg. And when the Government of the Orange Free State informed Captain N. Waterboer, on the 14th June, 1856, that they would accept the Vetberg line, made by Captain A. Kok, on the 5th October, 1855, between him and Captain C. Kok, provided the rights of the three British land certificates over that line were respected, he acquiesced therein, and since that time the owners have always remained in possession thereof.

The genuineness of the Treaty, alleged by Captain N. Waterboer to have been made on the 9th November, 1838, between his father and Captain A. Kok, is disputed by the Government of the Orange Free State. They have asked in vain that the original Treaty may be produced, in order that proof may be given of the genuineness of the copy of the alleged Treaty, which has not been forthcoming; and if the reading, which is given to it by the Government of the Cape Colony, be adopted, then it is at variance with the letter of Captain A. Waterboer, of the 10th February, 1846, in which he clearly intimates that his lands are situate to the south of the Riet River; with the letter of Captain C. Kok, dated 22nd August, 1845; with the Treaty between Captain C. Kok and Jan Bloem, made on the 8th August, 1840; and with all that was said and done by Captain N. Waterboer, before the making, at the making, and after the making of the Vetberg line, as has been so fully shown in the letters of the State President to His Excellency the High Commissioner. The description of that line, as given by Captain N. Waterboer, is as follows: "From Ramah, on the Orange River, northwards to Platberg;" whilst the words in the disputed Treaty are: "From Ramah to the east, along the Colonial boundary (the Orange River), to the west to Kheis, and to the north to Platberg." In order, therefore, to arrive at the intended Platberg, it is necessary to go back from Kheis to Ramah, which is not very usual in the description of boundary lines.

The Proclamation of the 3rd February, 1848, the map and the other documents mentioned in the Protest, clearly show that the Orange River Territory was bounded by the Vaal River, the Orange River, and the Drakensberg; and the Convention of 1854

transfers the government of that territory to the delegates mentioned in the Convention. But even if the contention of the Memorandum be accepted, that the white inhabitants only took over the government of themselves and the lands occupied by them, by virtue of the Regulations of Sir H. Smith—a contention which is not justified by the words of the Convention, which speaks of the government of the Orange River Territory—then it must necessarily follow from that allegation that the government of the territory situate between the Vetberg line and the line claimed for Captain N. Waterboer, from Ramah to Platberg—in which, during the years 1848–1852, thirty-three (33) British land-certificates were issued to white persons, who were in the peaceable and quiet possession thereof—was transferred to the white population.

The Memorandum has not refuted a single proof of the Protest, but only repeats allegations, which have fully been disproved by the official documents, therein mentioned.

That the inhabitants, who were against their wish, and in spite of numerous petitions against it, burthened with the government of the Orange River Territory, were desirous that the disputes which had arisen between Her Majesty's Government and the Natives, during their government, should be satisfactorily settled, before the withdrawal of Her Majesty's Sovereignty over the Orange River Territory, only shows their desire quietly and peaceably to carry on their pursuit as cattle farmers and agriculturists, a consummation which they could reasonably be expected to desire, after the battle which had taken place at the Berea between Her Britannic Majesty's troops, under the command of His Excellency Sir George Cathcart, and the Basutos.

The propriety of that desire is confirmed by what is mentioned in Articles 2 and 3 of the Convention of the 23rd February, 1854:

Article 2.—“The British Government has no alliance whatever with any Native Chief to the northward of the Orange River, with the exception of the Griqua Chief, Captain Adam Kok; and Her Majesty's Government has no wish or intention to enter hereafter into any treaties which may be injurious or prejudicial to the interests of the Orange River Government.

Article 3.—“With regard to the Treaty existing between the British Government and the Chief, Captain Adam Kok, some

modification of it is indispensable. Contrary to the provisions of that Treaty, the sale of lands in the inalienable territory has been of frequent occurrence, and the principal object of the Treaty thus disregarded. Her Majesty's Government therefore intends to remove all restrictions, preventing Griquas from selling their lands; and measures are in progress for the purpose of affording every facility for such transactions, the Chief, Adam Kok, having for himself concurred in and sanctioned the same. And with regard to those further alterations arising out of the proposed revision or relations with Captain A. Kok, in consequence of the aforesaid sales of lands having from time to time been effected in the inalienable territory, contrary to the stipulations of the Maitland Treaty, it is the intention of Her Majesty's Special Commissioner personally, without unnecessary loss of time, to establish the affairs in Griqualand on a footing suitable to the just expectations of all parties."

A reference to the letters of President Boshoff, of which mention is made in the Memorandum, will clearly show that the conclusion which is drawn from them by the Colonial Secretary is not in accordance with the scope and contents of those letters, as has already been shown in the correspondence.

The allegation of the Memorandum, founded upon the mere saying of Captain N. Waterboer, that Cornelius Kok was no independent Chief, is directly contradicted by the letter of the then Private Secretary of His Excellency the High Commissioner, Mr. R. Southey, written on the 1st May, 1848, to Captain C. Kok, Chief of the Griquas, Campbell Town, which is as follows :—

Government House,

Cape Town, 1st May, 1848.

SIR,—I have the honour, by direction of the High Commissioner, to acknowledge the receipt of your memorial, praying to be recognized as a Native Chief in connection with the Colony, and to acquaint you that His Excellency has been pleased to accede to your prayer, and given directions to Major Warden to have the boundaries of your territory properly defined by a Land Commission, which will soon enter upon its duties.

I have the honour to be, Sir,

Your most obedient humble servant,

RICHARD SOUTHEY, Secretary.

Mr. CORNELIUS KOK,

Chief of Griquas, Campbell Town.

And by the many other letters and documents, in which Captain C. Kok is recognized as an independent Chief. The fact that Captain C. Kok, after the abandonment of the Sovereignty, allowed the farms which had been sold by him and his people, with the consent of him and his Council, to white persons, and which had, with his co-operation and concurrence, been transferred in the books of the Registrar of Deeds, shows that he was satisfied to be under the government of those who had taken over the government of the Orange River Territory from Her Britannic Majesty's Government.

The Government of the Orange Free State denies most emphatically that Captain N. Waterboer possessed lands or exercised any jurisdiction over ground situate between the Vetberg line and the line from Ramah to Platberg, which is claimed by His Excellency the High Commissioner, Sir H. Barkly, on behalf of Captain N. Waterboer. On this point they refer to the numerous oral and written proofs, and to the fact that Her Britannic Majesty's Government issued during the years 1848-1850 thirty British land certificates to white persons, who were then in possession of the lands situate within the Vetberg line, and the three British land certificates over that line, issued in 1852, and the further proof which can be given by a host of witnesses, who had during the last thirty or forty years lived in that vicinity. As has been repeatedly observed, the mere assertion of Captain N. Waterboer, that Captain C. Kok was his subordinate, cannot be accepted, when it is directly at variance with the proof that Captain C. Kok, on the 1st May, 1848, was recognized by the British Government as Chief of the Griquas, of Campbell; and that he did, during the time of the British Government, during the years 1848-1854, with the consent of his Council, sell farms to white persons, which sales were approved by the British Resident and were registered by the British functionaries in the books of the Registrar of Deeds.

The fact that the original of the alleged Treaty of the 9th November, 1838, between Captain A. Kok and Captain A. Waterboer has not been produced, and that the reading given to it by the Colonial Government and Captain N. Waterboer, is inconsistent with the letter of Captain A. Waterboer of the 10th February, 1846, wherein he describes his territory as situate to

the south of the Riet River ; and the numerous proofs adduced in the letters of the President, to show that Captain A. and Captain N. Waterboer never had any grounds within the Vetberg-line, or exercised any jurisdiction or authority there, are sufficient evidence to show the groundlessness of Captain N. Waterboer's claim.

That the Government of the Orange Free State are correct in maintaining that the Native Chiefs, by which the white inhabitants were surrounded, had become the enemies of the latter, in consequence of the wars waged with them by the British Government, is proved, amongst other things, by a letter from the Assistant Commissioners Major Hogge and Mr. Owen, to the High Commissioner, dated 18th December, 1851, which is as follows :—

“ We have also been visited by many of those Boers, who, having in like manner obeyed Major Warden's orders to form a commando against Molitsani, have since been marked-out by the Basutos and their adherents for spoliation.”

And further, by a memorial of Messrs. R. P. Monach, C. Richards, Thomas White, and others, to the Assistant Commissioners, to be found at page 19 of the before-mentioned “ Blue book,” where the memorialists say :—

1. “ In our opinion, the troubles and misfortunes which have befallen the Sovereignty, are clearly attributable to our uncalled-for interference in the quarrels of the numerous and powerful tribes who surround us. Our attempts to control these tribes in their relations with one and another might, in our opinion, be in any circumstances liable to question, as a measure of sound policy. To make such an attempt and to assume towards those tribes an over-bearing tone and threatening attitude, when we have scarcely a sufficiency of troops to protect the town and fort of Bloemfontein, we deem it peculiarly impolitic and unfortunate ; such a course being calculated to stir up jealousies and animosities among the tribes themselves, and hatred and revenge against the Government and its white subjects. Yet our Government cannot command a force sufficient either to put its threats into execution, or protect its own subjects and allies.

2. “ We would further beg to state, that the servitude said to attach to the holding of land in the Sovereignty, in virtue of which farmers are called upon to render personal aid in supporting the above-mentioned system of military interference in the quarrels of the Native Tribes, is extremely distasteful, inconvenient, and harassing to the burghers. Every one who complies with the call

on his services in the field, not only subjects himself to innumerable hardships, besides personal risk, but moreover exposes himself to be plundered and ruined by the tribe against whom he has acted."

And by the despatch of Sir George Cathcart to the Secretary of State for the Colonies, of the 20th May, 1852, where we read the following:—

"There is no doubt, that in case the policy of abandonment should be adopted, there are many of the unfortunate minority who were called into action on occasion of Major Warden's quarrel with the Chief Moshesh, both of European origin and petty tribes, who answered his call, and who have already suffered much, would, if at this moment left to their fate, be liable to still further retaliation; and this might afford them some claim for protection or compensation."

And the history of what took place at Viervoet and at the Berea, between the British Government and the Basutos, confirms what is mentioned above.

That the Basutos applied in 1869, when they had been well chastised for their numerous robberies and acts of violence, and the violation of the Treaty of Aliwal North, to become British subjects, and that they were accepted as British subjects, contrary to Article 2 of the Convention of the 23rd February, 1854, by no means proves the contention of the Memorandum, but only shows that they laboured under the erroneous impression that the British Government would place them in possession of the lands which had been conquered by the Orange Free State in the war of 1865, and the boundaries of which, as described in the Treaty of Thaba Bosigo, had been accepted and recognized by Moshesh.

The groundlessness of the allegation contained in the Memorandum: "That nothing could be more at variance with the true history of this country than what is stated in the Protest, that the Native tribes, by which the white inhabitants were surrounded, had been rendered the enemies of the latter by reason of wars waged by the British Government," clearly appears from the report of the Commissioners Hogge and Owen, and the memorial of Moshesh and others, above quoted.

The assertion that the British Government never waged war with the Native tribes within the Orange River Territory is equally incorrect. For such occurred at Hanglip, Mequatling,

Viervoet, and at the Borea, as will appear, amongst others, from the following letter of Major Warden to Lieut.-Colonel Garvoek, Secretary to His Excellency the High Commissioner, to be found at page 77 of the "Bluebook":—

Umpukani, September 18, 1850.

Sir,—I have the honour to acquaint you, for the information of His Excellency the High Commissioner, that the troops under Captain Bates, 45th Regiment, reached this Missionary Station yesterday, accompanied by about 400 men of the Baralong, Koranna, and Fingo tribes, 20 of the Platberg Bastards, and 35 burghers, under Commandant M. Wessels. At the urgent request of the Chief Moroko and Captain Taaibosch, I consented to have an interview with Sikonyella; and this Chief, accompanied by the two mediators, met me yesterday afternoon, Captain Bates and the officers under him being present at the conference. Sikonyella expressed much contrition and promised to abide by any decision I might come to in the shape of fine upon him and his people. After hearing all that Sikonyella had to say regarding the grave charges I taxed him with, I imposed a fine of 300 head of cattle.

I am disposed to believe that the reports I received from the Civil Commissioners of Winburg and Vaal River, and upon which I urged His Excellency to employ troops against the Chief Sikonyella, were exaggerated statements. Both Mr. Biddulph and Mr. Bester report that Sikonyella's people carried off 800 head of cattle, and 1200 sheep and goats from the kraals of Karlie; whereas it appears from Sikonyella's statements, and the evidence of Mr. Piet Slabbert, that the cattle taken did not exceed 100, and not a single sheep or goat was captured on the occasion. Sikonyella's people lost their horses, and actually sustained greater loss than Karlie's people.

The proceedings of the Chief Molitsani, which I touched upon in my last letter to you, are of a most grave character, independent of the wholesale murder committed by Molitsani's people at this Missionary Institution. The burning of Native houses; the carrying off cattle, and the injury done to the premises of the Missionary; the insult offered to His Excellency's Proclamation, which declares that Missionary Institutions are under the special protection of the Queen, call for the severest punishment. Twenty persons, including women and children, have lost their lives, and three of the wounded are not expected

to recover. This place presents a scene of murder and devastation unheard-of since my arrival on this side the Orange River, five years ago. The body of a Fingo-man, in a half-decomposed state, is to be seen on opening the door of the Missionary's house. The troops, with its burgher and Native aids, move towards Molitsani's country to-morrow morning, and should the Chief take refuge with his people and cattle in Moshesh's country, it will become necessary to call the Basuto Chief to account. That Molitsani has already the best of his cattle over the Caledon I believe; 3000 head are required in order to afford sustenance to the Fingo families, plundered of their all, and pay the cost of this expedition. This number Captain Bates is called upon to capture, and he will fire upon such armed parties as we may fall in with. Should Moshesh, after sufficient proof appears that Molitsani's cattle are in the Basuto country, and due notice be given to Moshesh, refuse or not attend to my notice to give up the cattle belonging to Molitsani, I purpose crossing Moshesh's boundary-line, and the troops will receive directions to make the requisite seizure.

The Chief Sikonyella and his people have joined the commando under Captain Bates.

I have the honour to be, &c.,

H. D. WARDEN,  
British Resident.

Lieut.-General GARVOCK,  
Secretary to His Excellency  
the High Commissioner.

P.S.—Owing to the low condition of the whole of Sikonyella's cattle, I did not take over the fine imposed; they will be brought to Bloemfontein next month.—H. D. W.

Of the British Resident, Mr. H. Green, respecting the engagement at Viervoet, dated Bloemfontein, 7th October, 1852, to His Excellency Lieut.-General Sir G. Cathcart, "Bluebook," page 85, and the despatch to Sir John Pakington, dated Graham's Town, 18th January, 1853, respecting the battle of the Berea, on the 20th December, 1852, in which, amongst others, the following appears on page 102 :—



## PROCLAMATION.

\* \* \* \* \*

And whereas in my last reply to the said Chief I expressed my intention of proclaiming martial-law, in order to restore to the burghers the full powers of making Commandos, which seems to have fallen into disuse; and whereas, upon further consideration, I have reason to believe that the course of proclaiming martial-law might be misinterpreted and misunderstood, and tend to unnecessary irritation, excitement, and alarm; and that the object I have in view can be attained without proclaiming martial-law as aforesaid:

Now, therefore, I do hereby, by virtue of all the powers vested in me provisionally, and until sufficient legal enactment may be framed with the same intent, order, command, and direct all Civil Commissioners, Commandants, and Fieldcornets within the Orange River Territory to be ready to organize their burghers for the purpose of self-defence; and for the protection, security, and recovery of their property, in case of need.

Given under my hand and seal, at my camp, Platberg, this twenty-third day of December, 1852.

GEORGE CATHCART,  
Governor and High Commissioner.

Although the occurrences previous to the issue of the Proclamation of His Excellency Sir H. Smith, in 1845, do not prove anything against the fact that the Native tribes were hostile to the white population, who obeyed the summons of Major Warden, and took part in the engagements that occurred between the British Government and the Native tribes, it will not be amiss to place in their proper light the circumstances regarding the Emigrant Boers and the Griquas prior to the said Proclamation of Sir H. Smith, in 1848, as can be attested by many old inhabitants, and amongst others by Mr. J. J. Venter, who crossed the Orange River in 1834, paid his taxes at Colesberg till 1838, when they refused to receive it; who took a prominent part in the abandonment of the Sovereignty, and on several occasions acted as President of the Orange Free State. The Boers in the Colony were advised to purchase of the Bushmen, who were then in possession of the same, a tract of land South of the Riet River.

In 1823 Messrs. P. van der Walt, G. Joubert, G. Kruger, and Hans Coetzec, Fieldcornets of Zeekoerivier, Hantam, Zuurberg-spruit, and Middelveld, went round to collect cattle for the purpose of bartering the land from the Bushmen, which subsequently did take place. The Boers accordingly settled there.

The Griquas, who had also lately entered that country, first lived quietly and peacefully with the Boers. But in 1837 they began to cause difficulties, which finally resulted in hostile collisions. But when Her Majesty's troops marched up to interfere, a great number of the Boers declared themselves unwilling to fight against Her Majesty's troops, and requested Her Majesty's Government to interfere as arbitrator between them, which was refused.

The hostilities between the Boers and Griquas were, however, suspended for the term of eight days, upon condition that the whites and the Griquas should mutually restore what they had taken from each other. Immediate effect was given to this by the whites, but not by the Griquas. And before the expiration of the eight days' armistice, *i.e.* on the fourth and fifth day, an attack was made by the British Government on the lager at Zwartkopjes, and in consequence of the heavy losses which some of the Boers sustained from the Griquas, and by these events, many persons were plunged into deep poverty. This was communicated by Mr. J. J. Venter to Sir George Clerk in 1854, who was very much affected by it, and placed a sum of £3,000, disposable for these sufferers in these words: "For the purpose of placing the New Orange River Government in a position, as far as possible, to soften and heal every bitter remembrance of what was suffered in former years; where such exists, Her Majesty's Special Commissioner is pleased to grant £3,000 as a free gift in Her Majesty's name, on behalf of such persons who may be considered to have an equitable share in the same, under the circumstances before stated, to be distributed at the discretion and judgment of the Orange River Government."

The preamble of Sir George Napier's Proclamation of the 7th September, 1842, is as follows:—

"Whereas it has been represented to me, that certain of Her Majesty's subjects, who have from time to time emigrated for this Colony, and who now remain in certain territories beyond the

boundary and adjacent to the Orange River, have evinced a disposition to encroach upon the possessions of certain Native tribes."

It does not appear from the Proclamation by whom those representations were made; but, since the information which His Excellency obtained was inaccurate, the deduction founded upon such inaccurate information must naturally fall to the ground.

That such unfounded accusations had already previously been brought against the Colonists, is shown in the Lectures of the late Judge Cloete, in the 71st and following pages. In those Lectures the many grievances, losses and other causes, which gave rise to the large emigration of the Boers, in 1836, are fully stated.

The causes and history of the fight at Boomplaats will be described by the impartial historian; but as the Basutos lived on friendly terms with the Emigrant Boers, before the Proclamation of 1848, it is not very probable that they should, without any reason, have taken up arms against them.

The argument put forward in the Memorandum, in justification of the breach of the Convention of 1854, by prohibiting the supply of ammunition during the Basuto war of 1868, is irreconcilable with the admission of His Excellency the then High Commissioner Sir Philip E. Wodehouse, in February, 1869, at the Conference at Aliwal North, made to the Orange Free State Commissioners, that this prohibition was a violation of the Convention.

On the 13th January, 1868, His Excellency, Sir P. E. Wodehouse, intimated to the President, that Her Majesty the Queen had authorised him to take steps for accepting the Basutos as British subjects.

On the 10th of March, 1868, the prohibition of the free supply of ammunition was made; and on the 12th March, 1848, the Basutos were proclaimed British subjects, contrary to Article 2 of the Convention of the 23rd February, 1854.

In refutation of the assertion in the Memorandum, that the government of the Orange Free State had violated the Neutrality Proclamation, we refer to the President's letters of 22nd March, 1865, of 8th December, 1865, and of 12th January, 1866, to His Excellency the High Commissioner, in which it is clearly shown that His Excellency had not been correctly informed respecting the true state of affairs. That notwithstanding the Neutrality Proclamation, that Kaal Kaffirs came to the assistance of the

Basutos from the Cape Colony, and took part in the engagements between the Free State and the Basutos, while the government of Orange Free State, on several occasions, had notified to a considerable number of persons from the Cape Colony and Natal, who were willing and desirous of coming to the assistance of the Free State as Volunteers; that while appreciating their favourable disposition, in consequence of the Neutrality Proclamation issued by His Excellency the Governor, at the commencement of the year 1865, they could not avail themselves of their sympathising offer.

From all that has been above stated, it is clear that the allegation at the end of the Memorandum is incorrect; as the documents and other evidence sufficiently prove that the government of the Orange River Territory was transferred, by the Convention of the 23rd February, 1854, to the Delegates of the Orange River Territory. For Article 1 of the Convention says:

“Her Majesty’s Special Commissioner, in entering into a Convention for finally transferring the *Government of the Orange River Territory* to the Representatives delegated by the inhabitants to receive it,” etc.

That not the least proof has been given that either Captain A. Waterboer or Captain N. Waterboer ever were in possession of or exercised any jurisdiction over the grounds situated within the Vetberg line; that Captain N. Waterboer’s claim to the lands situated between the Vetberg line and the line that is now claimed on his behalf, from Ramah to Platberg, is in direct opposition to the boundary indicated by his father, Captain A. Waterboer, in 1846, who then admitted that his ground was situated to the south of the Riet River; that the Proclamation of the 3rd February, 1848, of Sir Harry Smith, proclaimed that Her Majesty’s Government took upon themselves the responsibility to the Chiefs, in respect of reasonable compensation to be made to them for all lands then occupied by British subjects; that Her Majesty’s Government granted titles to thirty-three farms, between 1848 and 1852, within the lands which now, after the discovery of diamonds, claim is laid to, on behalf of Captain N. Waterboer, notwithstanding that it is stipulated by Article 4 of the Convention “that such persons shall be considered to be guaranteed in the possession of their estates by the new Orange River Government.”

From the Chart to be found at the end of “Bluebook” of 1850, after page 99, respecting the territory between the Vaal

and Orange Rivers, it appears "that the Griquas under Waterboer resided not within the Orange River Territory, but to the north of the Vaal River," which is further confirmed by what Sir George Cathcart says at the end of his Despatch to the Duke of Newcastle ("Bluebook," 1854, p. 1), dated Grahamstown, 15th March, 1853, where he says :

"In connexion with the affairs of this part of the country, I have to acquaint you, that a small neighbouring Chief, resident beyond the Vaal, with whom there existed a Treaty, entered into on behalf of the Colony by Governor Sir B. D'Urban, in the year 1834, of the name of Andries Waterboer, recently died, and has been succeeded, by election, by his son Nicolaas Waterboer."

These people were originally Hottentot refugees, or rather of a mixed coloured breed, and of small number, but have ever been faithful to their alliance.

As, however, the Treaty in the first instance was made with the individual Chief or Captain, as the succession was not hereditary but elective, and as there were certain stipulations in the Treaty in respect to the supply of arms, gunpowder, etc., which would be incompatible with the Convention entered into with the Transvaal emigrants, I have declined to renew it in favour of the existing interest, as will appear by the enclosed correspondence.

The order stopping the supply of ammunition was given by Sir Philip Wodehouse on the 1st March, 1868, two days before the Basutos were proclaimed British subjects. Against this the Government of the Free State protested; but in consequence of the representation made by the Delegates of the Orange Free State to Her Britannic Majesty's Government, and the correspondence that followed, negotiations were entered into, which resulted in the Convention entered at Aliwal on the 12th February, 1869.

That which is stated at the end of the Memorandum is also based on a total misconception of the true history of the country. For Article 4 of the Convention stipulates that those persons who held titles to land before the time of the abandonment of the Orange River Sovereignty, should be guaranteed in the same by the new Government; and all those who resided within the territory transferred to the Delegates by the Convention, whether descended from Great Britain or other States, or born to the north of the Orange River, came under the jurisdiction and authority of the Orange Free State Government.

The Government of the Orange Free State repels with indignation the accusation that they had encroached on the rights of weaker neighbours. They urgently pressed in 1868, through their deputation, Messrs. G. van de Waal and C. J. de Villiers, on Her Britannic Majesty's Secretary of State for Foreign Affairs, Lord Stanley, as well as on the Secretary of State for the Colonies, the Duke of Buckingham and Chandos, for a strict and full investigation of their conduct towards the Natives. They are now still prepared to stand the test of a full and impartial inquiry in this respect. The fact that, in 1854, shortly after the abandonment of the Sovereignty, a Commission was sent to Captain N. Waterboer and Captain C. Kok, bears witness to their desire to do unto others as they wished to be done by. They are ready to prove the groundlessness of the imputation brought against them before impartial judges; being fully convinced that a complete and searching investigation will entirely acquit them from this accusation, even as well as from the former imputation of slave-dealing operations. They can refer with confidence to their conduct towards Captain Jantje Mothibi, the Baralongs and the Chief Moroko, to prove that they were at all times prepared and desirous to respect the rights of others. No encroachment on the rights of others can be laid to the charge of the Orange Free State; but encroachment has been made on behalf of Captain Waterboer, by the Proclamation of Her Britannic Majesty's High Commissioner, dated 27th October, 1871, as to the rights of Captain Jantje Mothibi and others.

The right of the Orange Free State to the lands south of the Vaal River has been clearly proved. For the Government of the Orange Free State agreed in 1856 that the Vetberg line, which had been made between Captain N. Waterboer and Captain C. Kok, should be the limit of his jurisdiction, provided the owners of the three British land certificates, granted by the British Government over that line in 1852, should be allowed to remain in the undisturbed possession thereof, and under the jurisdiction of the Orange Free State. Captain N. Waterboer acquiesced in this arrangement, and Her Britannic Majesty's High Commissioner, Sir George Grey, expressed his pleasure at the satisfactory settlement of the boundary line of the Griqualand Territory.

From that time the owners of the lands within the Vetberg line and the three British land certificates have been in possession

of them, and under the jurisdiction of the Orange Free State Government. It was not till 1862, after the Government of the Orange Free State had bought the grounds of Captain A. and Captain C. Kok, on the 26th December, 1861, that Mr. David Arnot, on behalf of Captain N. Waterboer, laid claim to that portion of the lands south of the Vaal River, of which the inhabitants of the Orange Free State held, for a series of years, quiet and undisturbed possession, partly on British and partly on Free State titles.

Seeing that Mr. David Arnot, on behalf of Captain N. Waterboer, also laid claim to the grounds of Captain C. Kok, of Campbell, north of the Vaal River, which had been bought on the 26th December, 1861, by the Government of the Orange Free State, they declared themselves willing to submit the question as to the Campbell lands, situated to the north of the Vaal River, to the arbitration of Sir Philip Wodehouse. The Deed of Submission was drawn up by the then Attorney-General, Mr. William Porter, but Mr. David Arnot wished to have the words "South of the Vaal River" also inserted in the Deed of Submission. But as the inhabitants of the Orange Free State had for many years been in possession of the grounds within the Vetberg line, which they had obtained by British Title Deeds or purchase, and Captain Waterboer never had any land within that line, or exercised any jurisdiction there, and thus only could take those lands from them by force, the Government of the Orange Free State refused to submit their title to those grounds to arbitration.

At last, in 1870, Captain Waterboer consented to the arbitration proposed by the Orange Free State, concerning the Campbell grounds, which was, however, frustrated by the departure of Sir Philip Wodehouse from the Colony.

On the 19th September, 1870, four days after His Excellency, Her Britannic Majesty's then High Commissioner, had requested the Government of the Orange Free State to produce the proof of their right to the lands claimed by Captain N. Waterboer, and before such could possibly be done, His Excellency, Lieut.-General Hay, issued a Government Notice, in which the Government of the Orange Free State were accused of "unjustifiable encroachment" on the rights of Captain N. Waterboer. Whereas the then Government and people of the Orange Free State were,

and have been for many years, in the possession of the lands to the south of the Vaal River, within the Vetberg line and the three British land-certificate farms situated over that line—lands which had never been in the possession or under the authority of Captain N. Waterboer; and therefore, in accordance with the general principles of justice, it was the duty of Captain N. Waterboer, who laid claim to it, to prove clearly that he has a better right to those lands than the Orange Free State, who were in possession of them; the Government of the Orange Free State refused to submit their right to those lands to arbitration; and whereas the interference of His Excellency the High Commissioner and the Government of the Cape Colony was contrary to Article 2 of the Convention of the 23rd February, 1854, the Government of the Orange Free State protested against the proceedings of His Excellency the High Commissioner, and still persist in their protest against the acceptance of Captain N. Waterboer and his people as British subjects, and against all the acts of Her Britannic Majesty and the Colonial Government. And although the right of the Orange Free State to the lands to the south of the Vaal River was so clear that it, strictly speaking, was no case for arbitration, they, in order to further friendly relations with the British and Colonial Governments, notified their willingness to submit the question raised by Her Britannic Majesty and Captain N. Waterboer against the Free State respecting the lands situated within the Vetberg line and the three British land certificate farms over that line, to the arbitration of a friendly foreign Power, a mode of arbitration customary amongst independent States, and to which the Free State, as a free and independent though small State, was entitled; but to the arbitration proposed by His Excellency the High Commissioner, Sir H. Barkly, of two Commissioners to be nominated by Her Britannic Majesty's Government and the Government of the Orange Free State, and His Excellency the Lieut.-Governor of Natal as arbiter, in case the Commissioners could not agree, the Government of the Orange Free State did not feel at liberty to consent. And with respect to the contention that the arbitration proposed by the Government of the Orange Free State was impracticable, the Government of the Orange Free State cannot perceive why the evidence and documents could not be referred to the head of some State in Europe, with the same facility as to a British official in Natal.



The whole correspondence between His Excellency the High Commissioner and Governor of the Cape Colony, and the several resolutions of the Volksraad, clearly show that the Government of the Orange Free State were ready and willing to submit the question raised by His Excellency the High Commissioner and Governor of the Cape Colony, on behalf of Captain N. Waterboer, against the Orange Free State, contrary to Article 2 of the Convention of the 23rd February, 1854, to an equitable arbitration. Notwithstanding that the Free State and its subjects had for many years been in possession of the lands situated between the Vetberg line and the line from Ramah to Platberg, partly also under titles granted by Her Britannic Majesty's Government, forcible possession was taken of these lands by His Excellency the High Commissioner and Governor of the Cape Colony. Against the forcible seizure the Free State protested, and in order to avoid a hostile collision with Her Britannic Majesty or the Colonial Government, they withdrew under protest. The Government of the Orange Free State protested, and will continue to protest, against the forcible seizure of the lands which have been under their jurisdiction and authority for years, and is the lawful property of its subjects. To this protest they will persistently adhere until they shall be reinstated in their just rights, which have been violated, or that the question existing between Her Britannic Majesty and the Colonial Government and that of the Orange Free State shall have been decided by an equitable arbitration, as proposed by the Orange Free State, to wit, of a like number of Commissioners to be nominated by Her Britannic Majesty and the Colonial Government on the one part, and the Government of the Orange Free State on the other; and in case they could not agree, then by the decision of a person of rank and ability residing in Europe, not being a British subject or in any way connected with the Orange Free State, to be nominated by one of the Ambassadors of one of the foreign Powers at the Court of St. James, in London, by which the Orange Free State has been recognised as a free and independent State.

By order,

F. K. HÖHNE,

Government Secretary.

Government Office, Bloemfontein,  
10th June, 1872.

## APPENDIX H.

LETTER FROM MESSRS. HENRY TUCKER (CHAIRMAN)  
AND WM. LING (TREASURER), DIGGERS' ASSOCIATION,  
TO GOVERNOR SIR H. BARKLY.

Kimberley, April 9, 1875.

WE desire respectfully to state in the first place that we were under the impression that Your Excellency was not unaware of the serious dissatisfaction existing on the Fields with the acts of the Local Government.

In the latter part of last year a Memorial was forwarded to Her Most Gracious Majesty the Queen, signed by upwards of 2000 persons, conveying the fact of the universal feeling of discontent prevailing, which Memorial, we understand, passed through Your Excellency's office, and up to the present time no relief has been given for any of the grievances complained of:—

1. The general unsuitability of the Constitution, the provision for a permanent majority of the Executive in the Legislative Council, and the unequally apportioned representation of the people.

2. The use made by the Executive of the power thus vested in them by imposing heavy burdens of taxation, and passing measures of a despotic and arbitrary character, interfering with free-trade and rights of property.

3. The failure of the Executive to satisfy the public request for details of expenditure and revenue from the time of the establishment of British authority.

4. That the adjudication of cases in the Law Courts should be made less costly, and be placed beyond the appearance of undue interference on the part of the Executive.

5. The absence of judicious mining regulations and measures for the protection of diggers against robbery of diamonds and illicit dealing therein.

6. The uselessness of all appeals to the Local Government for redress, whether through the Diggers' Committee, resolution of public meeting, petition, or deputations, both in regard to the Mining Ordinance and other matters.

7. That with a diminishing population crime and taxation increase abnormally, and the expenditure being vastly disproportionate to the resources of the province or the number of its inhabitants.

8. The prayer of the petition for the removal of the present Executive from office and the establishment of a less expensive and more suitable form of government.

We respectfully inform Your Excellency that since this memorial was forwarded, no inclination has been evinced by the Lieut.-Governor and his Executive to satisfy, in any way, the complaints of the petitioners, but, on the contrary, further and heavy exactions and burdens have been imposed on the people.

(1) Passing an ordinance by which masters are compelled, upon registration of servants, to pay the hospital fee of one shilling per month for the whole period of contract in advance, with the power to stop out of wages, but Government giving no assistance when servants abscond. This becomes a tax on the master.

(2) Masters to provide for their service in sickness, and pay their wages as if in health.

(3) Mining surveyor molesting servants accompanied by armed and mounted men.

(4) There are other complaints about diggers' interests not being attended to, and the vexatious interference with the legitimate purchase of diamonds is complained of.

(5) The disabilities inflicted on canteen keepers by Ordinance No. 18 are believed to be prejudicial to the interest of respectable and well-conducted houses, both as to the heavy amount of licence, the excessive amount of recognizance, and the prohibition against other business being carried on on the premises.

(6) It is thought that the issue of all licences connected with the finding of or trade in diamonds should be by, or upon the certificate of, an elected Licensing Board, as incalculable injury has been done by the indiscriminate issue of licences, whether for digging, débris sorting, or dealing in diamonds.

(7) There is a general impression that the removal of the Honourable J. B. Currey, the Secretary to Government, could conduce to the more harmonious working of the Government people. Up to the present moment it is thought that if the Local Government had in view the bringing about a collision between the Government and the people, they could not have taken more likely steps to ensure such a result than the course they have pursued, especially during the last week or two. We beg to assure Your Excellency, however, that we will do all in our power to disappoint such intentions.

In conclusion, we beg to assure Your Excellency that in our opinion, if measures of a tyrannical and vexatious character imposed by the Government are to be stayed and peace is to be maintained, we fear it can only be effected by the presence of Your Excellency, as soon as it can possibly be afforded.

HENRY TUCKER, Chairman,  
WILLIAM LING, Treasurer,  
Diggers' Association.

To His Excellency Sir HENRY BARKLY.

The following is a specimen of the editorial utterances of *The Diamond Field* newspaper (April 21, 1875):—

“The public feeling, rapidly growing in favour of the Associationists, was deeply intensified by the most mistaken action of the Government in permitting persons of colour to consider themselves the ‘troops’ of the future. Parliament men is the title the vile wretches give themselves, and although our rulers may quibble and dodge, and deny the enrolment of those men of colour, yet the grand fact remains that ‘their names were taken down, and they work under an acknowledged and known leader.’ Mr. John Cavernell may be, for all we know to the contrary, a more reputable person than any of his class, but the name of ‘Green Leaf’ is known in Cape Town. The knowledge of Green Leaf atrocities is spread throughout South Africa, and there are men and women too in Kimberley who have suffered outrage and insult at the hands of the very gang that now gathers round ‘The Ladies’ Pet.’ Ministers of religion may pray for peace in the name of the King of Heaven, but ‘Green Leaves’ must be encouraged to dare and defy, though they cannot terrify, Her Majesty’s loyal white subjects, in order that the deeds of a Southey, instigated by the envenomed brain of a Currey, may be palliated or excused.

“Saturday night was the scene of a fearful riot and of many robberies. . . . A sensation was, however, created towards evening

(on Sunday) by a statement getting into circulation that Waterboer's assistant plunderers were marching to Southey's aid, and to be soon expected in camp. This bore some appearance of truth about it, for no one doubts that our unscrupulous rulers would even for a moment hesitate to avail themselves of any assistance to help them to murder Her Majesty's white subjects. . . . H. R. Roper departed on his mission (to telegraph for troops). The dove of peace he was not, but he was a dove with a Cape Town 'green leaf' in his mouth, the first dove we ever heard of who went forth to call, by falsehood and misrepresentation, English soldiers to help blacks to massacre Englishmen. . . . It is said that the respectable classes are with Government. This we do not believe. The Volunteers are brave, so are all Englishmen, but so much the more reason why they will not help to butcher the people. Brave men will not fight for cowards, and in alliance with liberated slaves."

## APPENDIX I.

### PRÉCIS OF DESPATCHES—SIR H. BARKLY AND MR. SOUTHEY.

*Sir H. Barkly, 28th June, 1873.*

ONE of the intrigues of the latter gentleman (President Burgers) has just been brought to light by messengers from the Zwasië people to the Natal Government, who reported that the new President had asked them to sign a paper stating that they were under the South African Republic, but which the Chief refused to do until he was told by the British Government that it was all right, which of course it will not be.

*Sir H. Barkly, 6th September, 1873.*

Mr. Shippard (Acting Attorney-General, Griqualand West) has done good service in bringing to light the fact that as far back as 1629 the Dutch declared by law precious stones, etc., to belong to the Government, in whatever part of the Colonies they were found.

*Sir H. Barkly, 13th November, 1873.*

You will see that *The Standard and Mail* alludes to the Mitrailleuses for the South African Republic, about which Mr. Currey wrote to me. I have not got to the bottom of that story yet. Orpen Customs, Port Elizabeth, declares that the packages were "disguised," so that he did not expect them to be warlike stores, and this, if proved, makes the matter more serious for the Union Company, who have been called on for explanations.

*Sir H. Barkly.*

Mr. Shepstone, who stayed a couple of days with me here on his first visit to England, seems to take very much the same view as you do. Selling firearms to Natives—that restriction will

prove futile, and that it is better to let honest traders sell openly instead of encouraging smugglers. He says, however, that this is not the current doctrine in Natal. . . . You will see that Godlonton and others here entertain similar views.

*Sir H. Barkly, 28th February, 1874.*

I have no doubt that with the aid of your notes and your and Arnot's Memoranda, I shall be able to indite a satisfactory answer to President Burgers, and to send Lord Kimberley a Despatch, strongly urging action on the part of the British Government. The utmost I expect, however, in reply, will be a refusal to recognise the validity of the Treaties entered into by Burgers, leaving the responsibility to us of preventing their taking effect. This was the course pursued by Earl Granville in November, 1868, and in the face of the denunciation both by Mr. Gladstone and Mr. D'Israeli of the well-intended but embarrassing arrangements which have since brought about the Ashantee war, I fear no party at Home will go further."

*Sir H. Barkly, 12th March, 1874.*

I never recollect experiencing greater difficulties in writing any Despatch, for I had to reply to the deliberate concoction of a very artful dodger, aided by a quibbling lawyer, and I could not help feeling that there were weak points in my case. Keates' single award, for example, was a mistake. He should have given one in Waterboer's case, putting it that he had proved the country claimed by the South African Republic to be his, so far as such boundaries by treaty with Mahura, and another in the case of the combined Chiefs setting forth their proper boundaries. . . . It was impossible to take up Arnot's line, which could never be approved at Home. My conclusion, in which I notify to him (President Burgers) that the pretended concessions he had obtained are null and void, and that the British Government will insist on maintaining Keates' award in its integrity, is rather lame and impotent at this time of day, but I thought it was no use barking until I could bite.

*Sir H. Barkly, 30th March, 1874.*

The Treaty of the South African Republic with Botlataotse is a beautiful specimen of gammoning a Native Chief. It really

secures him no right whatever a day longer than the President considers the interests of the Republic to require.

*Sir H. Barkly.*

I had a strange letter, marked "Private and Confidential," from Lord Carnarvon, in which, speculating upon the probability of Burger's death, he suggests that I shall use any influence I can to get a well-disposed man elected President, and pretty well gives it to be understood that if the right man were found, any promises I might make him on behalf of the British Government would be fulfilled. It is clear that his lordship is completely at sea as to South Africa. I should imagine myself that British intervention yet awhile would do more harm than good in the Transvaal. Lord Carnarvon shows no sign of relenting as to Batlipina. In a later letter: Lord Carnarvon seems to have an idea that I have rubbed up the Boers the wrong way, and that if I had been more friendly, both the Free State and Transvaal would gladly enter into a South African Federation.

*Sir H. Barkly, 2nd May, 1874.*

Lord Carnarvon could hardly say less than that he could not object to any "fair" agreement between the Natives and the South African Republic, but it will not be difficult to show him that fairness is out of the question where the latter is concerned.

I have Sir Benjamin Pine staying with me now, and he tells me that the tricks that have been played, and the deliberate falsehoods that have been officially put forward with regard to the encroachments on the Zulu frontier near Wakkerstroom, far exceed those in connection with the Bloemhof arbitration.

*Sir H. Barkly, May, 1874.*

I have looked into the question of allegiance as I promised, and send you an extract from 33 Vic. Cap. 14 with others from my confidential correspondence with Lord Kimberley arising out of the late Chief Justice Harding's election for the Presidency of the South African Republic. Neither the Act nor the Secretary of State's reply is very easy of comprehension, but it seems to me clear that no British subject in the Transvaal can throw off his allegiance *except in presence of a diplomatic or consular officer in Her Majesty's service.*



*Letter from Lieut.-Governor Southey to Sir H. Barkly,  
15th July, 1874.*

(He does not think that confederation would be at all aided by any hesitation on the part of Her Majesty's Government in the matter of annexing the country of the Batlapins and Baralongs.)

There is now a rare opportunity of extending British rule and influence over the Native people whose territories lie west and north of the Republic, and that extension would check the advance of the Republican Government, which is accomplished only by the destruction of the Natives and the seizure of their lands, while by an advance we save the people . . . and we should also cut off the source from which a kidnapping of Native children is carried on. . . . Regarding the next election of President, I hit upon a plan by which I shall at least acquire useful information . . . to get Judge Barry to take a run up to the Lydenberg goldfields, ostensibly to see the country, but really to feel the pulse of leading people. He entertains feelings as strong as I do in favour of the reunion of the people with us, and I can trust him to keep the real object in the background. . . . The Judge would not be a candidate for the Presidentship under any other condition than that he should bring about incorporation with Her Majesty's dominions."

Mr. Southey declares himself strongly in favour of the Cape Colony being extended on the west coast up to the Portuguese settlements, and we know that if this wise policy had been carried out there would have been no German settlement in Damaraland, which may eventually, by means of a railway from Visch Bay, take away from Colonial ports the whole trade of Rhodesia and part of the Transvaal.

*From Sir H. Barkly to Lieut.-Governor G. W., dated Cape  
Town, 16th July, 1874.*

I think Lord Carnarvon would be glad to learn that the Transvaalers desired to come back under British jurisdiction.

If you could make the attempt without in any way compromising Her Majesty's Government, unless successful, I fully approve of your acting as you propose.

*Lieut.-Governor to Sir H. Barkly, 23rd July, 1874.*

Africa ought to become a most important appendage to the British Crown. The unfortunate wars on the eastern frontier of the Cape Colony has given the country a bad character—undeservedly so, for those wars need never have occurred, and probably would not—some of them certainly not—but for the mistaken Home policy.

*Sir H. Barkly to Lieut.-Governor Southey, 23rd July, 1874.*

With regard to the form of Government, Great Britain could not, of course, offer less than she did twenty years ago when she gave the Boers the management of their own affairs, which is only another phrase for Responsible Government. I should like to forward your letter confidentially to Lord Carnarvon, but I am almost afraid it will frighten him by the extent of the limits to which you wish to carry British rule, as well as by assuming that it is his wish to do so.

*Sir H. Barkly, 24th August, 1874.*

The English mail came in yesterday morning, and brought most unsatisfactory news for us, viz. the disallowing of Ordinance No. 5, and a sharp reprimand for your letter to Montsioa. The former, you will see, might have been avoided, if you could have got Mr. Shippard to put in a proviso, as I suggested, that it should affect no rights that the proprietors were legally entitled to. The letter I was always afraid would be disapproved, as I told you at the time.

*Sir H. Barkly, 20th August, 1874.*

I consider the question (of the gun trade) a more serious one for this Colony than you do, and I was not at all sorry to see it taken up by Godlonton and others. The opinion you entertain, founded on Kafir War reminiscences, that a Native is more formidable armed with an assegai than a gun, would have received a rude shock had you been present the other day when the young Basuto chiefs visited the Wynberg Butts. (He then describes their remarkably good shooting.)

*Sir H. Barkly, 9th November, 1874.*

Our correspondence with the Colonial Office is, as you remark, uphill work, and it seems so clear that backstairs influence is at work misrepresenting everything, that I all but despair of getting the truth listened to. The present Chief is, I am told by those who know him, crotchety, nervous of being found fault with, and obstinate to a degree when he has once got an idea into his head. By the mail which reached us here on the 7th, I had a private letter from him—as usual, very civil—saying, in reply to my remonstrances as to want of support to you in your difficult position, that it is his wish to give it to you, as he is aware of your claims to confidence, but that he does not approve of the strong language you apply officially to your opponents, and that the question of title to land has got into such a tangle that he has no other mode of settling it but by a Commission.

*Sir H. Barkly, 21st November, 1874.*

Let me congratulate you first on the triumphant way in which the slander case has been disposed of. The universal respect and sympathy which was evinced for you contrasts strongly with the contempt and loathing felt for old Robinson. You were quite right at once to grant a pardon to his tool Armidell. The description of the Ring may have a good effect at headquarters, and we ought to lose no time in dealing with the land question and Burgers' "Despatch."

*Sir H. Barkly, 1st December, 1874.*

I have read with much regret in the papers of the great fall of earth that has taken place on one side of the Colesberg kopje, and of the fissures which threaten even greater landslips. Misfortunes seem to thicken around you, and I must own that I am beginning to feel some alarm as to the future state of affairs at the diamond fields. I am sure, however, you will do your utmost to cope with the crisis, and it is very possible that from ignorance of the real situation I over-estimate its gravity. Ominous rumours of heavy overdrafts at the local branches of the banks are current here, and I cannot contradict them. Let me learn what really is the truth, for there is no use shutting our eyes to it.

*Sir H. Barkly, 17th December, 1874.*

I would not mind the expense of printing documents, if it convicted His Honour (President Burgers) of all the double dealing and hypocrisy of which he has been guilty. I will simply vindicate one by one the accuracy of the statements which he ventured in such vulgar terms to impugn, and which I find I can do more triumphantly than I expected. As to the history of the Volksraad's dealings with the award, I doubt if their conduct can be put in a clearer light than in the despatches which I wrote at the time, and which will be found in the English Parliamentary Blue-books.

*Sir H. Barkly, December, 1874.*

Arnot has written to me confidentially to ask if I see any harm in his introducing a Bill not less than to repeal my Proclamation No. 71 regarding Titles! I never heard a more audacious proposal coming from a party deeply interested like himself, and I should laugh at the idea had I not some reason to believe (between ourselves) that it originated with Currey. I can only say that if he or any other official supported such a measure, I would not give much for his tenure of office when Lord Carnarvon heard of it.

*Sir H. Barkly, December, 1874.*

I see Arnot has taken upon himself to reply to Burgers. He had better have confined himself to supplying me with information, instead of increasing the difficulties of my task, as his intervention was sure to do. I turned to it in hopes of finding something that might be of use, but in vain. In violence of tone it almost equals Burgers, whilst the staple of its arguments as to the non-recognition of Boer independence, etc., is in the teeth of the quotation from the Despatches of the Duke of Newcastle and others, and would not be for a moment tolerated at home. On the other hand, he is weak and evasive on the very points where his aid was needed, as, for example, the document produced by Burgers professing to be an acknowledgment by Mankaraone and the rest of the Chiefs of old Massoûw's superior rights to the territory, with regard to which he only says that it must be a

forgery, as several whose names are to it disown all knowledge of it. (Why did he not get a positive repudiation from Mankaraone, etc.?)

*Sir H. Barkly, 9th January, 1875.*

Mr. Froude is now with me, having arrived yesterday evening. I fear his views are unaltered, and that he regards the *quasi* slavery of the Native races in the Transvaal and Orange Free State as the system which is to regenerate the South African Confederation. He speaks very highly of you, but does not agree in your views as to the course to be adopted with the Republics. For Burgers he has a contempt, but Brand is a sort of hero with him. Arnot is his pet detestation, and he is going home to declare that he has got land grants to the extent of 2000 square miles. I begged him to take off the last nought, but he instanced the 840 square miles from Mankaraone, and hinted that you had admitted he claimed as much more at least in the Province.

*Sir H. Barkly, 25th March, 1875.*

I am glad to find that Aylward is so openly resorting to violent measures as to alarm the respectable part of the community, and this strengthens your hands sufficiently to admit of his arrest. If that can be done by special constables and the ordinary arm of the law, it will be well. I should be loath to send soldiers, excepting only *after* an outbreak had occurred, or at the urgent solicitation of the bankers, merchants, and shareholders. The expense of their transport and support, which would have to be borne by the Province, would be very heavy.

*Lieutenant-Governor Southey, 29th April, 1875.*

Important duty of Government to endeavour to enforce a due observance of the laws could not be neglected without imminent risk of bringing about class riots. Trade in guns and ammunition necessary to proceed against violators, but before any prosecutions were entered on, I had received arrangements made for large supply of superior guns. Now received information that a considerable supply is being brought through the Free State. I hesitated to place men to watch the roads. I have no force at my command to overawe the malcontents. Since Your Excellency has expressed an opinion that a prosecution in Court

was an act of indiscretion, I am at a loss what to do. I firmly believe that if the Associationists are allowed to set the law at defiance with the knowledge and tacit consent of the Government, they will be encouraged to proceed to far greater outrages. But no steps can be taken to prevent them, for I had not only his Excellency's express disapproval of prosecutions in the present state of affairs, but the fact that, were Your Excellency's views and wishes different, this Government would be powerless to carry them out.

I gather from your communications on this subject that you consider the indiscretion, exhibited not in observing the law, but "by observing and enforcing the law," changed to "endeavouring to enforce the law without a sufficient force to support officers of justice." If this be so, and I can place no other interpretation on Your Excellency's communication, I have only to remark that it rests entirely with Your Excellency to provide such a force as will enable us to act.

If this be so, I can only say that I look to Your Excellency to put me in a position to enable the officers of justice to carry out the law, both civil and criminal, which is now practically in abeyance, to the general discredit and demoralization, not only of the Government, but of the whole community."

*Lieutenant-Governor Southey, 22nd April.*

Reporting that by notice in *Gazette* of 10th inst., a meeting of "all corps" of the Associationists unarmed was called for that evening by William Ling, the Secretary, at Tucker's House.

Armed guards still stationed at houses of leaders.

Public offices materially strengthened, and about 250 Volunteers are being enrolled. Captain Carr appointed Commandant; Captains Ramsay, Tennant, and H. J. Yonge, and Messrs. Gilfillan and Percy to be Captains of Companies, and Mr. Bradshaw to be Adjutant.

*Diamond Field* newspaper recognized organ of the Associationists. Statements false, but put forward as arguments for reducing coloured classes to the subjection to which they are condemned in the neighbouring Republics. Feeling of alarm and indignation among coloured classes. Large employers of labour can themselves at any time produce scenes in the streets

by their own servants, and thus appear to establish the truth of their assertions as to the lawlessness of the natives.

24th April.—Strong expressions at the delay in sending up troops. District armed corps had been organized. Great alarm. Rebel force now organized for more than a month. Unwillingness of the European population to take the part of the Government by enrolling. 200 came forward, and of these only 140 came to muster. I can accordingly only protect public offices.

Mr. Ling stood on his diggers' rights. Court granted a writ of ejectment. Government delayed to put it in force.

*The Diamond Field* continually publishing falsehoods about Crown lands recently disposed of, and about to be offered for competition. The Acting Attorney-General, duly instructed, took proceedings against the publisher for seditious libel in stating that "our nefarious rulers were about to attempt another swindling land sale." Placards put out calling on the people to protect the rights of the diggers threatened by the proprietors, and the liberty of the Press threatened by the Government.

Meeting called for 27th a failure because of wet weather. On 3rd March it took place at Kimberley Hall, addressed by Tucker, Aylward, Blanch, and other speakers—all resolutions carried unanimously. Aylward closing the proceedings by calling on all the diggers to come armed with their rifles and revolvers on his hoisting a black flag at the mine.

I received subsequently positive information that men were being enrolled and drilled.

Ball cartridges were issued to his men by Aylward at a night-meeting drill by moonlight.

Proclamation issued warning all against illegal enrolling, drilling, and arming. In reply, *Diamond Field* published manifesto, signed by Tucker and Ling, Chairman and Treasurer, "The Diggers' Protective Association," in which no mention is made of either of Ling or Taylor, which had formed the pretexts for the mass meeting, but in which it is affirmed that by thefts and irregularities on the part of the Natives with "other causes" the rights, property, and liberty of the diggers are in danger, and it is announced that "the Council of the Association will direct necessary patrols to be made, and other measures to be carried out,"—in other words, that these persons will assume the functions of the Government.

This evening the organized bands, both of cavalry and infantry, have paraded and drilled by daylight. Tucker and Ling have issued a counter proclamation to mine, in which certain charges are made against me, and an intention is notified of inducing Her Majesty's subjects to unite for the preservation of their rights and liberties, "ignoring and disavowing all treasonable intent." Charge made that Mr. Southey had caused attacks by armed men to be made on diggers, only foundation being that Surveyor, when engaged on duty, accompanied by two mounted policemen, had visited the mine. It was now abundantly evident that men who had nothing to lose determined to overthrow the Government to gain a position for themselves.

Rights and liabilities of Her Majesty's subjects had not been disregarded by Government.

British flag brought into contempt among Native tribes untrue.

Before arrival of Southey, the same section of this community forced the Administrators of the Government to issue a Proclamation, depriving all coloured persons of mining licences which they then held, and providing that for the future no person of colour should be eligible to hold a licence. Ever since my assumption of office attempts made, petition and threats to compel me to adopt the same course, which I have steadily resisted. It is because I insist upon upholding the rights and liberties of the whole community, and not merely a section of it, that I am charged by these men with bringing the British flag into dishonour. I declined to receive a deputation from an illegally constituted body. Will not recognize an illegal Association seeking to form the Government. Military force required to dispel idea that Government here only on sufferance. Security of the whole country jeopardized by feebleness of Government.

*22nd April.*—Forwarding a petition from a large number of miners and diggers at Du Toit's Pan and Bultfontein in favour of Government. These petitioners and Her Majesty's coloured subjects generally conducted themselves with great propriety during the trying ordeal through which we have been and still are passing.

Blanch, K. Tucker, Goodchild, and Reid, proceeding to Cape Town to interview Sir Henry Barkly.

Deputation first waits on Southey. Asked the deputation



what they meant by saying in resolution, "No further political prosecutions." Mr. Goodchild said he thought it was meant to ask that none of the Association should be proceeded against. Some members of the Association did not agree to its terms. The application amounted simply to this, that I should consent to Association remaining an unlawful body of organized armed men, and that I should take no measures for their suppression. Unable to comply. Would not approve of enrolments, nor give any pledge about prosecutions, but exert myself to the utmost to maintain the public peace.

24th April.—Transmitting letter from Tucker and Ling representing Diggers' Association. They stated that their document sent to Government had been styled a Proclamation by mistake—had Royal Arms at head and "God save the Queen" at foot.

Dissatisfaction; yes, but not among the great body of respectable inhabitants to any extraordinary extent. Only low people, except the men of neighbouring Republics. They do not represent the wealth or intelligence of the people. Changes are wanted; they would not use physical force, but the ordinary methods. Government is endeavouring to obtain reliable information upon which to regulate further legislation. By heavy exactions they mean hospital fees. These men have all along endeavoured to prevent any form of Government which did not give to them an unreasonable—to my mind a dangerous—amount of power. This feeling was on Orange Free State territory, and existed when Your Excellency came here to allay discontent. Your Excellency formed a constitution, they allege, on model of Natal. This kept them quiet for a time. Their disappointment great when Constitution arrived. They assembled mass meetings and protested. Urged community not to elect representatives. Tucker put up and defeated. Complaints about liquor law resulted in Ord. 18, and greater reductions would have been placed upon canteens and the trade generally but for the opposition of one or two of the official members and notably of the Secretary to Government. The pith of it all is, that they wish to get all the power into their own hands *in order to deprive Her Majesty's coloured subjects of all their privileges and rights.*

They want the Secretary of Government removed, but they allege nothing against Mr. Currey's character or conduct. They

are indebted to Currey for having exerted himself to prevent their being accessory to the crime of murder, and the Government is indebted to him for aiding the magistrates to tide over a most serious crisis.

Imperial Government disallowed loan bill for £25,000. Estimates submitted 15th April, 1875, to Legislative Council, and approved of by the four official members.

## APPENDIX K.

### MEMORANDUM ON THE PRESENT POSITION OF KAFIRLAND, OR THE TRACT OF COUNTRY BETWEEN THE CAPE COLONY AND NATAL, BY SIR P. E. WODEHOUSE, GOVERNOR AND HIGH COMMISSIONER.

**B**EGINNING from the eastward. Prior to the year 1862 the south-western boundary of Natal was the river Umzimcooloo; but negotiations had been for some time on foot for extending it to the river Umtamfumu.

In times past, all the country between the river Umzimcooloo and the river Umtalo, from the Drakensberg, or Quathlamba Mountains, to the sea, was under the control of Faku, the late Paramount Chief of the Pondas. But cessions had been obtained from him of the whole tract from the Drakensberg to the sea between the Umzimcooloo and Umtamfumu Rivers, and also of the whole of the upper lands between that last river and the Umtata. It was under these circumstances that the Government of Natal proposed to extend its boundary on the whole depth from the Drakensberg to the sea, from the Umzimcooloo to the Umtamfumu River. But about the same time, and apparently without communication with Natal, Sir George Grey, in his capacity of High Commissioner, and as such claiming the disposal of all the land ceded by Faku, undertook to locate on the upper portion of the tract desired by Natal the tribe of Griquas under Adam Kok.

These people, who are a mixed race, quite distinct from the Kaffirs, were then living on the western border of the Orange Free State. And while the latter was still British territory, we had come under certain engagements to them. After the abandonment by Great Britain of the Free State, the Griquas were subjected to constant annoyance by the Boer Government and people,

against which they claimed protection from us. And Sir George Grey, apparently seeing no other method of escaping from the difficulty, proposed they should sell all the possessions they then had, and accept from him a location on the borders of Natal, in the land obtained from Faku. They agreed. The limits of their new land were pointed out by Sir W. Currie, on behalf of Sir G. Grey; and after having sold their own lands the tribe moved with great difficulty, and sustained great losses over the Drakensberg. While this was going on the Natal Government persevered in their efforts to obtain the whole tract, and just at the time of my arrival in the Colony had obtained from the Duke of Newcastle an order that they should have it.

Almost my first act was to overrule this order, as I found that the people had removed in implicit reliance on the promise of Sir George Grey, who was undoubtedly the paramount local authority. Natal obtained the seaboard, but the Griquas acquired the lands of the interior according to promise. The Secretary of State approved of what I had done, but the Natal Government was much mortified, and, consequently, there has never been any real friendly feeling on their part towards the Griquas. But the latter ought, I conceive, always to be encouraged and supported by us. They were put there by us, they desire to be on good terms with us, and they have nothing in common with the pure Kafir tribes.

Adam Kok's principal adviser is an Englishman named Brisley—very intelligent, of course intending to take good care of himself, but quite able to see that his interests lie in adhering to us. But I think there is anything but a friendly feeling between him and the great authority on Native affairs at Natal, Mr. Shepstone. There is, however, a local magistrate on the immediate border of Natal, whom I believe to be a sensible practical man, and who seems to possess the confidence of the Griquas.

Proceeding westward. In the late settlement of the affairs of Basutoland, I took advantage of the cession by Faku for placing in the upper lands under the Drakensberg, and in immediate contact with the Griquas, some of the Basutos and others who had been either displaced by the troubles, or from other causes had become desirous of removing thither.

Some of them have come under agreements with Adam Kok

for the payment of a species of tribute, in consideration of support and protection as against the neighbouring Kafirs, and all of them look to us as the chief power. There are more of the upper lands still at disposal between these people and the head of the Umtata river.

Proceeding westward along the coast, from the border of the new portion of Natal, called Alfredia, you come first to the territory of Umgikela the Great, but not the eldest son of Faku. He is, in point of rank, the Paramount Chief of the Pondas; but a large portion of the tribe recognise the authority of his elder brother, Damas, whose lands lie between those of Umgikela and the lands of the tribe of Tambookies. Within the territories of these two Pondo Chiefs there are also two or three semi-independent Chiefs, who render a very uncertain obedience, and greatly weaken their power.

The tribe of the Tambookies, whose lands begin at the Umtata, is divided into three sections: one which is perfectly independent and under the despotic control of the Paramount Chief "Gangelizwe;" another which has been placed by us under Chiefs of inferior rank, between the rivers Bashee and Kei, and with whom we have a resident officer; and a third which declined to move into the last-mentioned tract, and remains on the western bank of the Kei, within the Cape Colony and under Colonial law.

The interests of all three sections are, fortunately, much opposed to each other.

The tract from the Bashee to the Kei, reaching from the mountains to the sea, was formerly in the possession of Kreli, the Chief of the Galeka tribe of Kafirs, who before my arrival had, for his hostility to us, been completely driven out of it. On my arrival the whole tract was uninhabited, except by the detachments of police which held it, and Kreli was living in great poverty on the east bank of the Bashee. Arrangements were in progress for allotting the whole as farms to British settlers, when suddenly the Home Government prohibited its annexation to the British territory, and I therefore divided it into three tracts. Kreli was permitted to return into the lower portion, nearest to the sea, in the centre a number of Fingoes, taken from the Colony, were located, and in the highest portion were placed the section of Tambookies above-mentioned. All these settlements are in law independent, and are governed by their respective headmen

according to native customs. But we have an officer resident with each division, and, as they are all exceedingly jealous of each other, it is not difficult to preserve a considerable amount of control over them.

In many respects their existence in their present condition is decidedly advantageous to us.

PHILIP E. WODEHOUSE,  
Governor and High Commissioner.

August 28, 1870.

## APPENDIX I.

### THE SHOOTING OF HINTZA.

TAKEN OUT OF AN OLD DIARY KEPT BY ONE OF THE CORPS OF  
GUIDES DURING THE KAFIR WAR OF 1835.

ON Wednesday, the 29th April, 1835, the Chief Hintza, with an escort of twenty-four men, came to our camp about four o'clock in the afternoon. Such bustle and formality at his arrival was quite laughable—every one appeared anxious to have a peep at him. After shaking of hands, etc., a camp-chair was handed him, and he took his seat alongside the Governor and Colonel Smith, who were also seated, and a few officers were allowed to stand round him, the whole body of the people being kept at a distance by sentries placed round. Papers were soon brought forward and read to him, interpreted by young Shepstone, and the business went on, every one listening to catch the sound, but all to no purpose, for they talked in so low a tone that nothing could be overheard, so what was said we know not. However, after talking for some time and being late the great Chief Hintza was invited to Colonel Smith's tent, where the conversation was carried on until eleven o'clock, but no one being allowed to come near, and the interpreter being sworn to secrecy, it was impossible for us to learn any part of what had passed. However, about an hour after dark we got orders to parade in marching order at daylight in the morning—for the rescue of a Chief—and every one betook himself to his place of rest for the night.

*Thursday, 30th April.*—The whole of the 1st Division of the army being under arms at daylight, the officers assembled in front of the Governor's tent, where stood Hintza, and then Governor's papers were again read to him, but in so low a tone that nothing could be heard. After it had all been read, the Governor asked Hintza if he perfectly understood it, and Hintza answered yes.

The Governor then shook hands with him, and three cannons immediately discharged a little above the camp. With this the men were all dismissed, with the exception of four of the 1st Corps of Guides, who were sent in search of some of the Kafirs' horses which had strayed during the night. Thus are Englishmen forced by those who are placed in authority over them to go in search of their enemy's horses, an enemy that has plundered them of their property, and murdered their friends and countrymen in cold blood. What must their feelings be? and to see the treatment and attention paid to those thieves and murderers is disgusting to the sight of every frontier colonist in the camp, knowing as they do that those very people are the very same that have been in the Colony, and that they would cut our throats to-morrow if they could get us on one side, and, notwithstanding all this, we see Hintza presented with eight men's saddles and bridles, four large rolls of brass wire, one dozen spades, three pieces duffe, about 140 lbs. of beads of different sorts, a lot of buttons, several blankets, a piece of red velvet for cloak, one dozen tinder-boxes, half a dozen handkerchiefs, and numerous other articles. All this to be presented to him in the presence of the whole camp—yet many Englishmen and Dutchmen have not a blanket to cover themselves with, nor a saddle to ride on, and although continual applications have been made for them yet none can be got. Men who have lost all their property, and are now serving on commando without a tent to lie in or a blanket to cover themselves, must, before their eyes, see them lavished away upon their bitterest enemies—the murderers of their friends and relations!

Hintza's son, Kreli, having arrived, he also was presented with a saddle, bridle, and a lot of beads, etc., for all of which he did not say thank you, nor did Hintza for what was given him, but asked for garnet beads. Five men of the Corps of Guides under Ensign C. Rubidge, of the Hottentot Battalion, having been sent in search of the Hottentots who were missing, they fell in with them on the Tsono River. They had captured 639 head of cattle and sixteen horses, which were brought safe to camp with only sixteen men, the others were undoubtedly killed. Hintza having dined with Colonel Smith, the bugle and bag-pipes were kept playing for his amusement.

*Friday, 1st May, 1835.*—The camp was to have moved this



morning in the direction of Butterworth, but it has been postponed for reasons best known to those who gave the orders.

A lot of Kafirs were seen in the direction of the Kei River, and report says that Booko is coming. (Booko is the uncle of Hintza.)

We hear what the conditions of peace are with Hintza, that he is to give up 25,000 head of cattle and 500 horses in five days' time, and the same number in one year from this, dated yesterday, 30th April, 1835.

*Saturday, 2nd May.*—At 8 o'clock this morning the camp moved in the direction of Butterworth. Four of the Corps of Guides were sent with an express to Colonel Somerset, near Butterworth, and three more sent with Major White, who rode in the direction of the mouth of the Tsono to sketch the country; the remainder of the Corps of Guides were left behind to bring up Hintza and escort, who were a long time getting ready to start. However, after some time we got off, and came up with the advance guard, who were off-saddled. Here the Government got information from Colonel Somerset that the Kafirs had fallen upon the Fingoes and killed thirty of them in one place. Report says the Governor would have shot Hintza for this had not Colonel Smith interceded for him. After an hour we were on our way, and encamped in a valley called Fingos Kloof. Hintza was guarded all the way, and his people were disarmed at night. Booko came up to us when we were off-saddled, and brought about forty head of cattle with him, and said these were all the cattle he had in his possession belonging to the Colony, and that he had not a horse to ride on. Those cattle were not accepted by the Governor, but Booko took them on to the camp with him. Hintza, his son, Booko, and two or three others were kept close prisoners all night. A few waggons come in with stores.

*Indabagaas, Sunday, 3rd May.*—We remained in camp all day. Three or four people were sent over to the Fingoes to inquire into the truth of those killed by the Kafirs; they found that the report was quite true. Hintza and the others were kept close prisoners, and not allowed to converse with any other people.

*Monday, 4th May.*—The greater part of the people that came with Hintza and Booko were allowed to leave the camp, their arms being given up to them. Twenty-five Boers were sent off

with the post, and took two Kafirs with them, sent by Hintza with a message to the Chiefs Scharlie and Maxoomo. The Boers who took them (these Kafirs) were bound down in the penalty of 500 rix dollars that they would deliver them safe over to Major Cox at the Buffalo, Debe, or else where the Major could be found. Hintza was allowed to go about two miles down the river, and the Corps of Guides and Bathurst Volunteers were sent to guard him.

*Tuesday, 5th May.*—The Missionaries from Clarkbury were expected daily. This was the last day for Hintza to send in the first 25,000 head of cattle, but none came. In the morning Hintza again wanted to take a ride down the river, and the Corps of Guides were ordered to get ready, but when he saw so many upsaddled and ready to go with him, he would not go. After dark a Kafir came into the camp on horseback, and stated that he wished to join the English, but it was expected that he came as a spy and his horse was taken from him, and he was driven away, marked with a few good lashes.

*Wednesday, 6th May.*—Nothing of consequence happened this evening. The Missionaries from Clarkbury arrived escorted by Captain Warden and party. They brought 350 head of cattle with them, and shot one Kafir on their way. These cattle were part of what the Tambookie Chief had taken from the Kafirs, and all Captain Warden could get out of him out of about 2000 head. Orders were issued for the camp to move at 7 o'clock to-morrow morning.

*Thursday, 7th May.*—Rain still continuing, orders for marching were countermanded until to-morrow. Several spans of oxen were lost or stolen during the rains, also some horses.

*Friday, 8th May.*—Colonel Somerset's division being under orders to march, the Missionaries left us to join him, and it was understood that they were going direct for the Colony, and that the first division would soon follow. Here several of the farmers and others in the first division being dissatisfied with the commando, returning without having taken anything like the number of cattle that had been taken from the Colony, thought proper to draw up a short memorial to His Excellency the Governor on the subject, stating that they would rather stop out all the winter than return home without their cattle, and that from all information that they could get from the Missionaries and others, it appears that the main

body of cattle was still on the coast between the Kei and Bashee Rivers. This memorial was sent from the Governor to Colonel Smith, and all the parties who signed it got a severe reprimand, and were told that it was treason to dictate to the representatives of His Majesty's Government. After all this was over and the roads had got dry, about 12 o'clock we left the camp on the Indabagazi, and proceeded in the direction of the Kei, and halted about a mile and a half before we got to Nud's Springs, the place where Parcell was murdered, where we remained for the night.

*Saturday, 9th May.*—We left camp and came on to the Kei Drift, where we remained for the night. Two little Fingoe children were found on the road, who had been left behind by their mothers, who had accompanied Colonel Somerset's division into the Colony. The Kafirs attacked the Fingoes when they were crossing the Kei Drift, and took some of their cattle, but we heard the Fingoes retook them again.

*Sunday, 10th May, 1835.*—Every one was full of anxiety to know whether or not the Kei would be declared the boundary. They had heard that a requisition had been made for twenty-one rounds of ammunition, but whether it was to declare the boundary or the King's birthday was one continual matter of dispute. However, about eight o'clock the troops were called out and fallen in, in proper order—Hintza, Kreli, and Booko in the centre—when the Governor, accompanied by Colonel Smith, and all the other officers forming a circle in the middle of the troops, declared the Kei River to be the boundary of the Colony of the Cape of Good Hope. A royal salute was fired, and the whole division gave three cheers, and it ended. Here we separated, the Governor taking one part and crossing the Kei into the Colony, and Colonel Smith taking the other and going back towards the Bashee. I, William, and Harry going with him (Colonel Smith), and Richard going with the Governor. Colonel Smith took Hintza and four of his men with us, and Hintza was given over to me, and fifteen of the Corps of Guides to guard him. We took the waggou road, and halted on this side of Butterworth for the night. We fell in with sixty-eight head of cattle driven by two Kafirs, and they said they were bringing them to the camp. Colonel Smith gave them a note and sent them on. Soon after we had off-saddled for the night, one of the Kafirs who accompanied Hintza was seen

going off in the direction of where we had just before seen some Kafirs driving four head of cattle. It was supposed he was sent by Hintza to tell the news that we were coming. One or two of our pack-oxen died from eating tulp at the Kei.

*Monday, 11th May.*—Early this morning we were on the move. One of Hintza's horses was missing, and it was believed that he managed to get it off during the night, to send a message to his people to take away their cattle. We passed Butterworth, and off-saddled about three miles on the other side, by a Kafir kraal. Here we got plenty of corn for horses, and firewood from the kraal; the Kafirs had not long deserted the place. A few goats were found, which were soon destroyed by the Hottentots.

*Friday, 12th May.*—About midnight the rouse sounded, which put the whole camp on the move, and in about an hour all was ready for a start, and slow and silent moved the column forward, keeping still a beaten path which led to a station, one belonging to Mr. Edward Driver, near the Bashee. Just at dawn of day we saw Kafir spies moving in all directions, and every path was beaten with cattle spoors. Hintza appeared very uneasy, and wanted to turn back, saying: "Here are the cattle spoors, make haste and follow them up and you will get them; but if you go along the road at this slow pace, you will never come up with them, for the Kafirs travel faster than you do. Why not go as Somerset does, in different lots?" Soon after sunrise we off-saddled and breakfasted. After halting about two hours, we up-saddled, leaving the waggon with Mr. Fynn, and the knocked-up men behind, in all about seventy in number, and proceeded on our way, still keeping the spoor of the cattle, but not able to get sight of them. Hintza again said: "Why not let *me* turn round. I have brought you to the cattle, what more can I do?" He seemed very loth to go on, and said: "Those people will fight." Seeing that he would not be allowed to turn back, he ordered his followers to ride in the rear; but this, of course, was not allowed, and the guides did their duty and kept them all together. After going on for a few miles, Colonel Smith told Hintza that he had better send some of his people round to tell the Kafirs not to fly with the cattle, as he would follow them to hell, therefore they had better stop and give up at once, or he would shoot man, woman, and child. Upon this Hintza sent two of his men on, and,

as he said, to tell them not to fly with their cattle, but it proved afterwards that they were sent for quite another purpose, viz. to tell them to be off, as the commando was coming, keeping still on the spoor for about two miles. We halted for about a quarter of an hour, and here Hintza was seen to tie a knot of lucky grass on to his necklace. From here we descended down a hill and crossed the river "Xebecca," and it being steep on the other side to ascend, all dismounted with the exception of Colonel Smith, who rode in front of Hintza. His two men walking up the hill followed by the guides until they got near the top, when Hintza mounted his horse, as did also his people, and pushed gently past to the front. I called to the people in front to ask if the prisoners were safe, and was answered yes. Again I asked if he was in front of the Colonel, and was also answered yes. Upon this I, William, and Harry mounted our horses and pushed past through the bushes on the left of the line and got up in front of Hintza, who in one moment whipped his horse and away he went, followed by Colonel Smith and us three who had got in front, and all the others as they came out on the top of the hill. Colonel Smith's horse being the swiftest, he came up to him first and snapped his pistol. Finding that it missed fire, he threw it at Hintza's head; the second pistol also missed, and that followed the first. The Colonel now struck him with the fist, but all to no purpose. He then seized him by the "kaross" at the back of the neck, and pulled him from his horse. Hintza, finding himself on the ground, and closely pursued, drew an assegai and threw it at the Colonel. While this was going on I gained ground upon him, sprang from my horse, and called out to him to stop or I would shoot him. He looked round, but took no further notice of it, and I fired and struck him in the left leg, just under the calf and close to the bones. He fell upon his hands, got up again and went down the hill. George called again to him to stay, but to no purpose. Then the Colonel ordered me to fire again. I did so, and the ball passed through his body on the right side, just under the ribs. He fell and rolled over, but was soon on his legs again, and kept on the same way down the hill, and into the bush. Several of our party in chase came up to the edge of the bush. I jumped down the bank and ran into the bush. A rustling of assegais brought me to the spot where Hintza lay, concealed under a large stone in the river, and while in the act of lifting his

assegai I shot him through the top of his head, which laid him dead on the spot. Three hurras were given and answered from the top of the hill by the Colonel and troops. And after taking his assegais and ornaments, I left him to his fate, and returned to the top of the hill. Colonel Smith claimed the assegais, and presented me with Hintza's horse—a very fine animal it was. (Note.—This was a horse given to Hintza by Commandant Van Wyk, then living where Tarkastad is now, on the Elands River, H.S.) One of the two men of Hintza's, who attempted to escape, got shot by the Hottentots about a mile from the river where Hintza was shot. The pistols the Colonel threw at Hintza and the assegai that Hintza threw at the Colonel being found, the column moved forward towards the Bashee River, still keeping on the cattle spoors. Kafirs were to be seen in all directions on the tops of the hills, and a solitary beast here and there *that had been* left behind. Keeping on a good pace until nearly sunset we came in sight of the Bashee, and from the top of the hills numerous herds of cattle could be seen, both in the valley below and on the opposite side. Making haste down the hill, we managed to secure the greater part of those in the valley and kloofs near the river, but night coming on prevented us from capturing those on the opposite hills. About two hours after dark, all the parties out in search of cattle having returned, we were formed up in proper order and a strong guard placed over the cattle, and all remained quiet during the night.

*Wednesday, 13th May.*—This morning all were on the alert; Captain Bailie was sent off with a party of men off to the right towards the sea coast, and Colonel Smith with his party and guides ascended the hill up to the left, and keeping on the fresh spoors of cattle until we reached the Coogha, where we off-saddled. Not a single herd of cattle could be seen in any direction, but spies were seen on the heights all around us. Here Colonel Smith determined upon turning back, as he could not otherwise reach the Governor's Camp on the Umpotchanie in the short time allowed him, viz. seven days. We reached our bivouac about sundown on Bashee River. Our rear shot one Kafir and wounded two others. As soon as we reached our camp we heard of the death of Major White and a corporal of the Cape Corps Hottentots.

It appears that soon after sunrise Major White with a corporal felt very anxious to go up to the top of a hill to the left of our camp, that he might look round and sketch the country, and thereby add to his useful work. Mr. Andrews (Colonel Smith's secretary) tried to dissuade him from it, as there were Kafirs all round them, and that it was no use. So with a small party of four men Major White left the camp and ascended the kop about a mile off, little thinking that he would never return. The four men he took with him he placed as sentries at a distance from him, and, in fact, so far apart that they could not see one another. When he had finished, and was in the act of packing up his instruments, the Kafirs, who had been watching him, managed to creep up a kloof that reached nearly to the spot where he stood, and before he was aware of it an assegai was in his back. His double-barrelled gun, that lay close beside him, was soon discharged at the savages, but with what effect no one knows. The Hottentots who were placed as sentries soon left their post, and, instead of rushing to his assistance, made off to the camp with all speed. The corporal, who it appears was placed nearest, was interrupted in his retreat and killed. The other three reached the camp, and with all haste a party was despatched to look after the bodies. They were found near the place where they had stood, but everything belonging to them had been carried away, the major's gun and valuable papers, etc. The bodies were brought to camp and interred as decently as our circumstances would allow and admit. Thus fell Major White by the hands of savages, and his loss will be felt by all who knew him, and particularly by the frontier colonists, as well as by Colonel Smith, who was much attached to the major.

*Friday, 15th May.*—Soon after sunrise all were in marching order, and kept up a brisk march until after dark, when we encamped for the night. So it went on till we recrossed the Great Kei River, and joined the Governor's camp. Then from there on to where King Williamstown is at present, stayed there a few days, when twenty-one cannon shots were fired, and proclaimed British territory in the name of King William IV. Then the Corps of Guides were allowed to leave.

After we four Southneys had lost our all (over 800 head of cattle, 40 or 50 horses, about 1000 sheep and goats, houses burnt down, with everything therein destroyed), we who had served on

commando as guides from first to last, with our own horses and guns, not costing the Government one penny, we were sent away to find a home where and how we could.

Hoping I am not encroaching on your valuable time and space.

I am, etc.,

GEORGE SOUTHEY.



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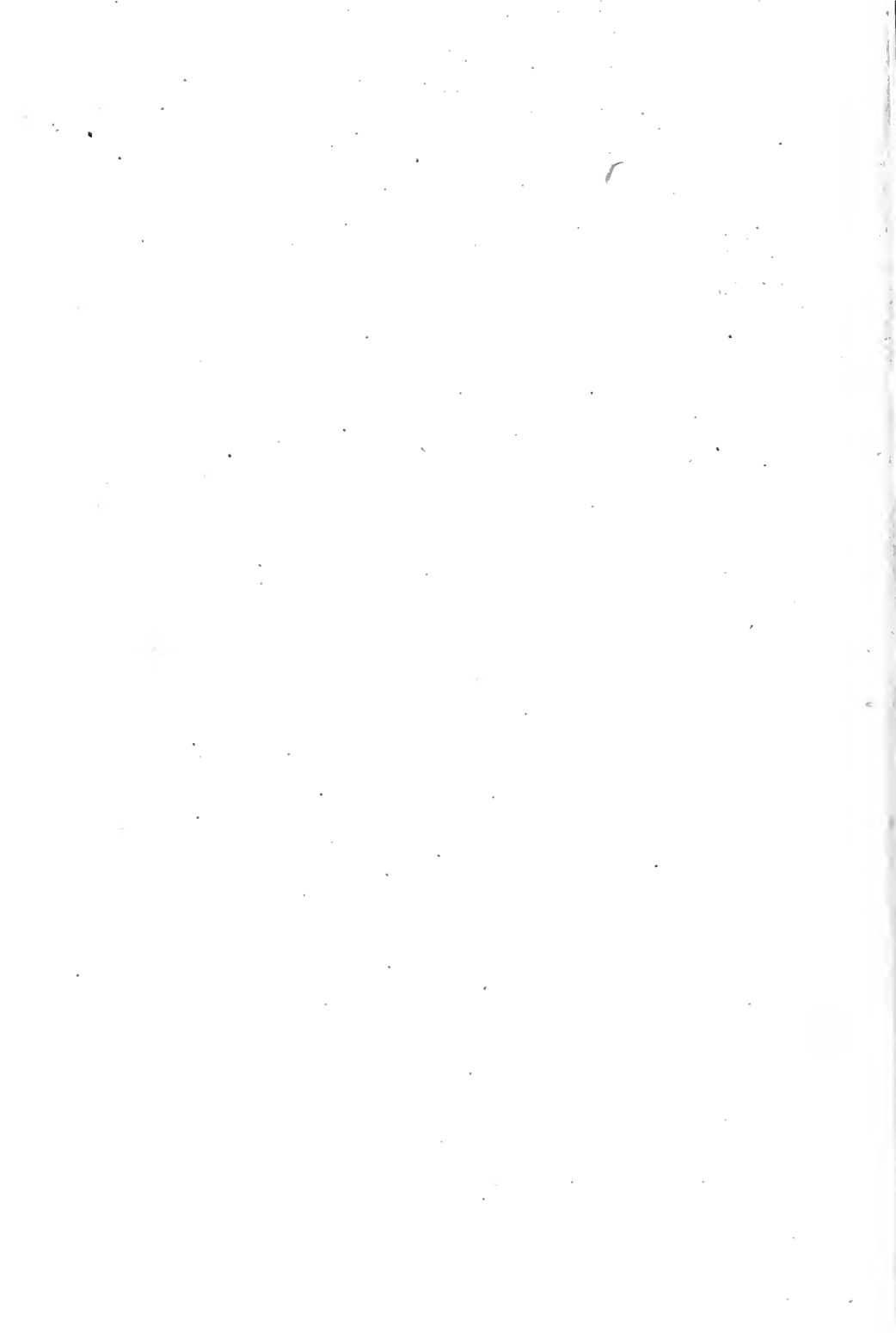
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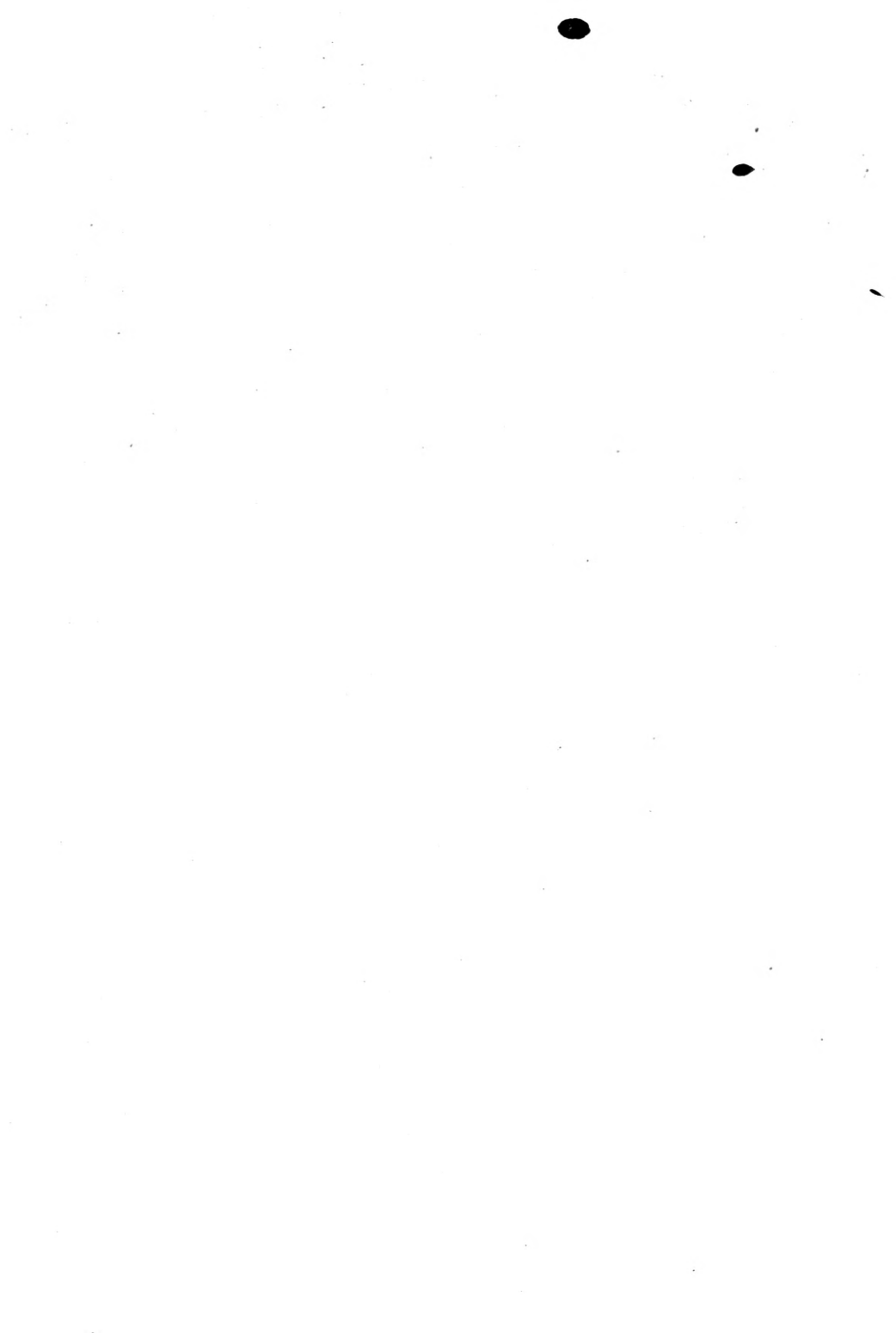
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